## DEBATES

OF THE

# House of Commons,

From the Year 1667 to the Year 1694.

COLLECTED BY THE

### Honble Anchitell GREY, Efq;

WHO WAS

Thirty Years Member for the Town of DERBY;

CHAIRMAN of Several COMMITTEES;

AND

Decyphered COLEMAN'S LETTERS for the Use of the House.

In TEN VOLUMES.

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### INTHE

# House of Commons,

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[Monday, December 3, 1677.

The House met, when Mr Secretary Coventry delivered the following Message from his Majesty, which was read by the Speaker:

" Charles R.

HIS Majesty, having given notice by his Proclamation, that he intended the Houses should be adjourned till the fourth of April\*, hath now, for weighty Considerations, thought sit to meet with both Houses sooner; and therefore his Pleasure is, that this House be adjourned to the sisteenth day of January next.

#### The House adjourned accordingly.

\* Before the meeting appointed for the 3d of December, his Majesty's Proclamation was issued, signifying "that he expected not the Members attendance, but that those of them about town should adjourn themselves till the fourth of April, 1678." These words "that the House may adjourn themselves" were very well received by those of the Commons who imagined themselves thereby restored to their right, after Mr Seymour's invasion: When, in reversal of this, (he probably desiring to retain a jurisdiction that he had twice usurped,

and to add this flower to the Crown, of his own planting) Mr Secretary Coventry delivered a written message from his Majesty, on the 3d of December, of a contrary effect, though not of the same validity with the Proclamation, viz. "That the Houses should be adjourned only to the 15th of January 1677;" which as soon as read, Mr Seymour would not give leave to a worthy Member, offering, to speak; but abruptly, now the third time, of his own authority, adjourned them without putting the Question; though Sir John

Vol. V.

Tuesday,

#### Tuesday, Jan. 15.

The House being met, his Majesty sent the following Message by Mr Secretary Goventry, which was read by the Speaker:

« Charles R.

municate to both Houses, in order to the satisfaction of their late Addresses, for the preservation of Flanders. But it so happening that matters are not yet so ripe, as within a sew days they will be, therefore his Majesty's Pleasure is, that this House be immediately adjourned till Monday, the 28th of this instant January \*."

Several Members proffered to speak, but the Speaker would not

fuffer them, but adjourned the House.

#### Monday, January 28.

The House met, when his Majesty in his Speech, which was afterwards read by the Speaker, signified, "That he had made such Alliances with Holland, as were for the preservation of Flanders, and which with due affistance could not fail of that end: Acknowledged, that he had used all possible means, by a mediation, to have procured an honourable and safe Peace for

Finch, for once doing so, (3 Charles) was accused of High Treason. This only can be said perhaps in his excuse, That, whereas that in 3 Charles was a Parliament legally constituted, Mr Seymour did here do as a Sheriff that disperses a riotous assembly. In this manner they were kicked from Adjournment to Adjournment, as from one stair down to another; and when they were at the bottom, kicked up again, having no mind yet to go out of doors. Marvell.

\* One reason for this Adjournment was, to know if the Spaniards would comply with a demand that the King had made of Offend, and Portmabon, for the accommodation of his ships and troops, and which Mr Godolphin was in this interval solliciting at Bruffels: And another is given by the

Lord Treasurer [Danby] in a Letter to Mr Montagu [Ambassador at Paris] dated January 17, wiz. "To see if any expedient for the Peace could be found out in that time." Ralph.

It appears however from Sir William Temple, that the true reason of this Adjournment was to have time to receive the news of a league with Holland, which was signed January 16, but being properly defensive, to prevent the King of France from pursuing his Conquests in the Netherlands, it was very far from answering the desires of the Parliament. The King believed, nevertheless, that this league would be capable to impose upon them; and therefore deferred their meeting to receive the news of its conclusion. Rapin.

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Christendom; knowing how preferable such a Peace would have been to any War; especially to this Kingdom, which could not but be sensible of the vast benefits it had received by Peace, whilst its neighbours were such sufferers by the War: Declared, That fince a Peace by fair means was no longer to be hoped for, it should not be his fault, if it was not obtained by force; and that he had recalled his Troops from France: Intimated, that, though the Dutch should do their parts. ninety capital ships would be necessary, and thirty or forty. thousand land-forces with their dependences: Consented to have the money given for these services appropriated as strictly as could be defired: Madea merit of forwarding the new ships, (which he faid had cost above 100,000 l. more than the Act allowed) and of repairing the old: In doing which, and furnishing them with Stores and Ordnance, he alledged, that he had expended a great deal more than the 200,000 l, that he had been by you enabled to borrow on the Excise: Mentioned the expence he had been at in reducing a rebellion in Virginia, and carrying on a new War with Algiers: Touched on his engagement to the Prince of Orange, for his niece's portion \*; and fignified that he should not be able to maintain his constant necessary establishment, unless the new imposition upon Wines, &c. were continued to him: Put the Commons in mind (though not by particular Address) of their promises: Said he had done all he could to remove all forts of jealousies; that by marrying his niece to the Prince of Orange, he had given full affurances that he should never suffer his interests to be ruined, if he could be affifted, as he ought, to preferve them, and that he expected a plentiful Supply, fuitable to fuch great occasions, whereon depended not only the Honour, but, for ought he knew, the Being of the English nation, which would not be faved by finding faults afterwards, but might be prevented by avoiding the chief fault of doing weakly and by halves what could be only hoped from a vigorous and thorough Profecution of what they undertook."]

The Prince of Orange arrived in England October 9, 1677. On the 24th, the match between his Highnels, and Lady Mary, the Duke of York's daughter, was declared at the Committee, on the morrow to the Council, which was, upon that occasion, extraordinarily assembled, and in the next Gazette to the

whole Kingdom. Wherever the news spread, joy accompanied it. It was looked upon as a deliverance from the French, and no man, at that time, dreaded any other Slavery. Ralph.

It was celebrated November the fourth, the Prince's birth day. The Prince's Portion was 40,000!

#### [Debate.]

Mr Piercy Goring.] Moves for a short day for consideration of the King's Speech.

Sir Robert Hols.] Moves for to-morrow for the con-

fideration of it.

Lord Obrion.] The nation is so much concerned in what his Majesty has been pleased to communicate to us in his Speech, that I would have you presently fall upon the consideration of it, and, considering it is post night, I would lose no time.

Some faid aloud " What! the French Post?"

Sir William Covenity.] That no affected delay may appear, I would have the Clerks give out copies of the King's Speech to the Members, that they may come fully informed how to speak to it.

Sir Edmund Jennings. I would have nothing else

to intervene.

Sir Themas Lee.] I look upon it as the same reason for considering it to-morrow as to-day, in regard to the delay, for the Clerks cannot, in so short a time, give out Copies to Gentlemen. Therefore I move for Thursday for consideration of the King's Speech, that we may not do to-morrow what we may have cause to repent of the next day, to satisfy without doors, as well

as within, to give the people fatisfaction.

Col. Birch.] This is the greatest business the King has mentioned to us in his Speech, that has been in my time. He that does this great thing with most forethought, may possibly prove the best bowl, and will run to the mark, when out of your hand. The thing is long, and as yet no way considered by us; and I am not at all concerned "for the going away of the post this night." That we may do it seriously, as it ought to be, I move Thursday for consideration of the King's Speech.

Mr

Mr Secretary Coventry. Our proceeding in this great matter is the expectation of all Europe. If we show not promptness to affift the King in what we have advised him to in this House, 'twill be a great prejudice to the honour of the nation. Hafte will be of great consequence to the Consederates, now almost down, and towns would be foon delivered up in Flanders, but for their hopes that the Parliament will affift the King to support them. The putting off the consideration of this great affair for three days will feem strange, when a conquering Prince is marching, who confiders neither holidays nor work-days. The things the King has communicated to you, in his Speech, are what you have formerly defired, viz. a league offensive and defensive for the prefervation of Flanders. Therefore I move for a present consideration of the King's Speech.

Sir Thomas Meres.] In regard to the matters being so emergent, &c. I move to consider it to-morrow, and even then not to make more haste than good speed.

Refolved, Nem. con. That the King's Speech be taken into confideration to-morrow.

Mr Sacheverell.] I was unwilling to give interruption to this business, as long as I see the way before me, and now we have done the King right, 'tis time to right ourselves upon you, Mr Speaker. I was present when you adjourned the House twice \*, and you would not fuffer any gentleman to speak. Because I would reduce things to a certainty, and leave no umbrage betwixt the King and us, of his Majesty's power of adjourning us, I will state the case betwixt the House and you, Mr Speaker. It feems you will undertake to be bigger than the House, and, contrary to four known rights of the House, will undertake to violate them upon your own authority. I have drawn up the heads of them, and I offer them, not as an impeachment, but a charge, and I offer them to be read, the substance whereof is, "That it is the standing Order and undoubted right

<sup>\*</sup> See Vol. IV. towards the end.

of the House, that the House be not adjourned by the Speaker, but by consent of the House, and not by the Speaker only." And "that when any gentleman stands up to speak, the person is not to be silenced, unless the House over-rule him." But you, Mr Speaker, contrary to your duty, after several Members stood up to speak, would not suffer them to go on, and, though you acknowledged the right of Adjournment to be in the House, yet you hindered the House from proceed-

ing in their Debates.

Sir John Ernly. If I thought that the Crown was not concerned in these Adjournments, and had a right to command it, and the only business was chastising the Speaker for not doing his duty, I should be for maintaining my right as much as any man. But if there be a Meffage from the King, sent by one of the Secretaries, to adjourn, or the King fends for the House by the Black Rod, and fignifies his pleasure of Adjournment, it is the undoubted right of the King, and you are, according to his pleasure fignified, to adjourn immediately, Sacheverell flood up to speak, and you obeyed the King's Order, and the House universally called out " Adjourn, Adjourn," and 'twas done accordingly. Though 'tis the undoubted right of every Member to speak, yet if the universal cry be to adjourn, you do it every day, "till to-morrow eight o'Clock," though Gentlemen stand up to speak.

Sir Robert Carr.] It has been the general sense of the House to-day, that no interruption be given to the consideration of the King's Speech. I move that a time may be taken for the consideration of this matter of adjourning the House by the Speaker, &c. and I believe the Speaker will submit to the House, if he

cannot fatisfy the House therein.

Lord Cavendish.] It did not appear to me, that, in the Adjournment of the House, in May last, 'twas the opinion of the House to adjourn. Here is a charge against the Speaker, and, according to Order of the House, if a charge be brought against a Member, it

should

ought to be read. It is a business of so great importance, that you are not fit to sit in the Chair whilst it is debating, it concerning your self. The Gentleman that brought it in, has laid it upon the table, and I would have it read.

Sir Charles Wheeler.] Are we not imposed upon to have that Paper thrown upon the table, without the Consent of the House by a Vote? The charge is, Whether you can adjourn the House? But the Adjournment was the King's Adjournment, and I defire to have it fairly stated, and the King's Message for Adjournment But supposing 'twas not the King's Adjournment, the thing is done every day, and you take the fense of the House by the noise of the House calling "Adjourn, Adjourn." Three parts in four of the House, in May last, were for adjourning, and your declaration of it was good, till excepted against. When the King fends to adjourn, the Question is between the King and us, and not between the Speaker and us. Therefore I move that a day may be fet apart to debate this thing, that Gentlemen may be ready to speak to it. The whole world will know this Debate to-day, and will be apt to fay, Why did not the House debate the great business in the King's Speech? They put that off always for weighty confiderations, and now (they will fay) "The Commons fall into other matters." I defire this Debate may be put off to Thursday.

Mr Secretary Coventry.] I am forry for this Debate, without making a compliment to you, Mr Speaker, or any other. The matter in question is concerning the charge delivered in by Sacheverell, and I will speak only to what can be the issue of the Debate of it in this House. The King's power of adjourning the House is denied by no man. The Question is then, de modo only. If you put the King upon other ways of Adjournment of the House, than by the Speaker, there is disadvantage on the other side. The consequence will be delay of your proceedings; and the French King's advantages are so great in this conjuncture, that if we

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-should be left alone, we are no equal match for him. He is now upon his Campaign, and if the Confederates hearts fail, by our delay, and the King of France takes two or three more important places, he may quickly end his Campaign, before the Spaniards begin theirs. This Debate will draw many circumstances along with it. And, whilst we come to our Privileges, we shall, I hope, be tender of the King's Prerogative. In the 19th of K. James, there was a jealoufy, in the Parliament, of the power of the Spanish Ambassador Gondamar at Court, concerning the Spanish match, then depending—The House of Commons sent a very rough Message then to the King, and the King did adjourn the Parliament by Writ. The Commons fent to the Lords, "that they could not adjourn unless the Writ was read in their House," and they entered a protestation into their books accordingly. King James was offended at it, and fent for the Journal, and in the Privy Council tore out the protestation with his own hands. I defire only to flow you; by this, how great jealoufy and discontent it occasioned betwixt the King and the Commons. A year and a half after, the King called a Parliament, and altered his Councils about the Spanish match, and told the Parliament how he was abused by Spain, and made other complaints about breaking the Treaty of the match, and of war in the Palatinate. Did the Commons then go back to all those things of Privilege about their Adjournment of their House? No; they went on to the matter of the Palatinate war. They were not a body of men too easy to give up their privileges and the liberties of their Country, but they laid them aside for that time, and entertained themselves about the Palatinate. At the Diet of Ratisbon, the Electors themselves met. The Elector of Mentz was their Speaker. The Duke of Lunenburgh fent his credentials to the Bishop of Cologn, by his Secretaries; but being no Elector, he was not received by his deputation; for the Diet faid, "he must come himself, for they would not receive them." Upon which, Lunenburgh i worth made

made his protest, that nothing should stand good to oblige him in that Diet, which occasioned a great disorder and delay in the proceedings of that Diet. I speak this so much from the bottom of my heart, that I think these delays, which this Debate will occasion, extremely dangerous; and, I vow to God, though I hate murder, yet I had rather be guilty of twenty murders than hinder our proceedings now \*; and I would be guilty of all the cruelties of Alface rather than hinder our progress in this great Conjuncture. Therefore I humbly move that this Debate be laid aside.

Sir Henry Capel.] There is nothing of fo great importance as to keep ourselves, in a body, of one sense. What will be the end of this, if you enter into the Debate to-day of this difference? What will the confequence be? Naturally it will be to fee precedents of Adjournments of the House, and a Committee must sit, and you have tacitly implied, that no Committee shall fit, because you have ordered to-morrow for the Confideration of the King's Speech, and fome time must be to think of it. I am for the fetting this thing of Adjournment right, and believe it will corroborate us in what we shall do. When we parted last, we addressed the King to enter into Alliances with the Dutch, &c. to prevent the growth of the power of France. When we were adjourned, if the King had fent for us, and told us his pleafure, I believe nothing elfe would have intervened. I would not hinder this great affair now before us, but would adjourn this Debate to Thursday next.

Mr Garroway.] I am forry to hear fome honourable persons put so great stress upon two days time. We have been fourteen days in town; and when our liberties are concerned, and this matter of money must go abroad, for reputation's sake, I would willingly have had time

<sup>\*</sup> Coventry in some heat said, thing to retard the progress of the "The King was engaged, and he would rather be guilty of the pression made it often to be obmurder of forty men than do any jected afterwards to him. Burnet,

to confider, whether we shall be undone by Peace or War. If this great affair had been taken in time, according to our reiterated advices, fomething might have been done. But still we are put off to the last moment. Paper is now offered, and I am forry 'tis a Charge against yourfelf, Mr Speaker. I mean clearly, as the gentleman faid who brought in the Paper, the point of Adjournment is not betwixt the King and us, but betwixt you and us. Therefore put a Question to lodge it fairly, before we adjourn the Debate. I think, that, if it appear to be your encroaching upon the House, it may be of as ill consequence as the war with France; if your power encroach upon us more than ever was intended you. If you'll put the Question, Whether the Paper shall be read, and adjourn the consideration of it to Thursday, I am well contented.

Sir Richard Temple.] For Order sake, I would not have the Question put for the reading the Paper given in by Sacheverell. 'Tis a Charge, and no Impeachment, against the Speaker. I never saw any thing of this nature before. If the gentleman that brought it in will recall it, and give it in as an Impeachment, 'tis another thing. The Question about this matter of adjourning the House will necessarily arise betwixt the King and the House. The giving in the Paper is not regular; and no person can go about to make that the Speaker's case,

which is wholly the King's.

Mr Powle.] He that delivered this Paper in, did well to make a difference in the case betwixt the King's and the Speaker's Adjournment of the House. In the King's Speech, in the Gazette of the 28th of May, 1677, his Majesty directed himself to the "Gentlemen of the House," and not to "Mr Speaker." How has the Speaker then the authority of adjourning the House? If this be admitted, I need not tell you how dangerous the consequence would be. The former practice of Adjournment was, that the King did do it in the Lords House, and we were called up to that Bar. The King may grant away a manor under his signet, but Westminster-Hall

will void that Grant, being not under the Great Seal. If we do not preferve form, we shall lose substance. The Question is plainly, by what authority you assume to yourfelf to do what the King commands us to do? I am forry to have feen us on a precipice, and that that should be an argument against us of losing no time in preventing the growing greatness of the French King, which might have been prevented, in a great measure, had our advice been taken in time. The fault is somewhere. I never yet faw a Pocket-Order of adjourning the House admitted, and the whole liberty of the House is concerned. By the same reason that you adjourned the House, you may put by any Question. 'Tis in vain to think of conquests abroad, when we lose our liberty at Suppose to-morrow we come to a Question in this great affair we have adjourned, you may adjourn the House to Friday, and prevent the Question. The gentleman that brought in the Paper, does not call it "an Impeachment," because it is not to be sent up to the Lords. He calls it "a Charge," because we have liberty to judge of the misdemeanors of our own Members. By word of mouth, or in writing, the Charge may be given in. Let the Paper be read, and admitted, and then adjourn the Debate of it, if you pleafe.

The Speaker.] What is charged within doors, by word of mouth, against any Member, or what is charged without doors, is at the election of the gentleman that brings it, to take his own method. I assure you, I sit uneassly till I answer to any thing relating to this Charge. As many artifices have been used as may be, to report me to have spoken what I never did, and to have done what I never did. But, I hope, no discourses will make impression upon the House, of things neither said nor done. I have received many undeserved savours from the House, which I acknowledge with all thankfulness. My coming to this place at first was as unexpected as your displeasure in what I did. Whatever my proceedings were in adjourning the House, when duly considered, the House, I believe, will see nothing in them inconsistent with the Or-

der of the House. That power, which is lodged in the Chair, is not to be dislodged untill the House dislodge it. When the King commands an Adjournment, 'tis the House's right to adjourn themselves. But, I say, the House has always exercised Adjournment in that method The reason is, because, in executing the King's commands, the House goes out of the ordinary method. The King feems not to doubt any obedience in the House; which, putting a Question for Adjournment, after the King's command fignified, will do. I defire to have your Order for what I shall do. There was never any Debate, but once, of Adjournment, and then it was about executing a Commission of Adjournment not directed to the House; and I ought to continue in the practice of what I have done, till you have altered it; else I should commit a greater offence than I am now charged with. Matter of form is only the case. If I have the honour to ferve you, I must observe the same method I have done, till you order it otherwise.

Sir Thomas Clarges. ] You state not the case right. When any doubt, or question, arises about a thing, 'tis otherwise than when the thing goes off fairly by confent. This adjourning the House has been usurped by you, more than by any Speaker before you; and gentlemen stand up to speak, and you adjourn the House, and will not hear them; and you adjourn. He who was Speaker before you, would not patter out of the Chair with that precipitancy. He would fit till eight or nine o'clock at night, as long as any gentleman would speak. If the opinion of the Speaker must be the sense of the House, the ships and men the King speaks of may be doubled. 'Tis our birth-right to speak; and we are not so much as a part of a Parliament, if that be loft. Many worthy men, who are the King's fervants, went on fast for money; but when Privilege was but mentioned, all was laid aside. The then Attorney General, (Finch) now Lord Chancellor, when the King's Declaration, &c. was excepted against here, and the King told us, "he would not have the Declaration touched upon," did worthily give his opinion of it. Though his zeal, at that time, was great for money; yet he laid all that aside, and did bravely defend it at a Conference. If it had been fo in the Declaration, &c. freedom of speech had gone off; and if we cannot debate things with freedom, all is gone. The Black Rod knocked the last Session, and then we must go to attend the King. "But hold, (faid you, Mr Speaker) we cannot ftir without the Money-Bill;" and the Money-Bill was fent down to you from the Lords, before you would go up. The King may adjourn us in person, or by his Commission. I Charles I. there was a Commission of Adjournment sent to the Lords House, and 'twas fignified to the Commons; but the Commons answered, "if the Commission be sent down to their House, they would consider of it." It was then debated, though under the Broad Seal; which is above all Paper Commands. And the House was set in Order first. And must you assume to yourself to adjourn without Debate? "To adjourn immediately" is with a falvo jure, that we may fit that day to fet the House in Order. 19 James, there was a kind of Protestation before the House adjourned; and when the King razed the Protestation out of the Journal, there was no Privilege lost. The Adjournment is only obeyed here, where we have freedom of speech. When any exception is taken at words that fall from a gentleman, they are to be put into writing, and you fnapped us off by your usurpation; fo that there was no time to debate the exception we had against it. I move it, because it lies hard upon my heart; for, without this freedom, we are no House of Commons; and I would have the Paper read.

The Speaker.] I fent up for the Tax-Bill, and the Bill was actually brought down before the Black Rod knocked at the door. The 11th of July, 1 Charles I. the House desired the Lords to join with them in an Address to the King for a Recess; a Commission accordingly was sent to the Lords House by the King. The Lords sent to the Commons, to come up to their House to hear the Commission read; the Commons returned, "That they

would

would send Answer by Messengers of their own." The Commission was sent down to the Commons, and they did adjourn themselves to Oxford. Their Adjournment was by the King's Command; and so is this complained of now; and I will put upon that the issue of the cause. In all the Journals, I cannot find, that, when the King commanded an immediate Adjournment, the House proceeded in one tittle of business.

Mr Sacheverell.] If any fuch thing as a Commission, &c. had been, I had done you, Mr Speaker, much wrong in complaining. But I have Precedents to show, when the matter comes to be debated, that the course

of Parliament is quite otherwise.

Mr Waller. The gentleman that spoke last tells you of Precedents, &c. but I have fat here fifty years, and never faw the matter done as you, Mr Speaker, speak of. There is a confusion in the Debate, whether the matter in question be betwixt the Speaker and us, or the King and us. When a man speaks against his duty, or we speak against one another, or the King, the words are stated, and the person is to withdraw. You, Mr. Speaker, bring us Precedents overgrown with weeds. I believe the matter must be stated betwixt the King and us, or else the trumpet will give an uncertain sound. No tribunal can judge of the Privilege of this House but itfelf. I'll tell you the practice for fifty years here. The King, without doubt, has the fole power of calling and suspending the states of the kingdom. But if the King should defeend so low as to come to us, and adjourn us, I never knew but that we complied with the King. For Writs to supply defects of Members, a Committee has been fent to defire leave of the King to fit on. And when the King would have prorogued, the House has interposed to sit on. Besides, we have obscured our own light by our own fault. We should have called the Speaker to the Chair again. We fend the Speaker to the Chair, when we chuse him, to show you that you are in potestate Senaius, both in the Chair, and out of it. The measure of our obedience to the King in all things is law; and I move that a Committee may be appointed to recover our ancient right. We fay, "hear the Chair;" but no body fays, "obey the Chair." I would have Precedents fearched betwixt the Crown and us, that we may not play a lesson before we tune the instrument.

Mr Williams. There is no fuch matter as Prerogative in the case. The King's Message was, "That the House should adjourn itself." The Question is between the Speaker and the House, whether you have not imposed upon the House, by adjourning, without their consent by a Question. You have declared the right to be in the House, and yet you have done the contrary. When a Member stood up to speak, you silenced him, and would not fuffer him to go on. The Paper delivered in at the Table ought to be read presently. You, Mr Speaker, have repeated this Adjournment, without a Question, or consent of the House, four times over. The Privileges of the House are, by course of Parliament, first to be considered; and there can be no greater Privilege than this of freedom of speech. I have heard and read of propositions to bridle Parliaments, and they were censured in the Star-Chamber. This action of yours, Mr Speaker, is gagging the Parliament; and you, by skipping out of the Chair, prevented speaking in Parliament. I defire the Paper delivered in may be read.

Sir Thomas Lee.] We are all out of the way in matter of Order. Here is a Paper tendered, and called for to be read; and 'tis moved below to be adjourned to Thursday; and now the Debate is entered into, which is moved to be on Thursday. Your proper Question is, first, Whether the Paper proposed to be read, shall be now read; and the next Question, Whether Thursday shall be appointed to debate the manner of your adjourning the House.

Sir Robert Thomas.] Mr Speaker, you have gone about to answer the Paper, before the House was pos-sessed of it.

Lord

Lord Cavendish ] The Speaker put us first out of Order, by answering the Paper before it was read. I doubt not but Precedents are to the contrary of what you, Mr Speaker, pretend. In this Parliament there have been several to the contrary, and you yourself was of a contrary opinion formerly to what you are of now. I defire the Paper may be read; and when that is done, I will give reasons why this Debate should not be adjourn-

ed to Thursday, but proceeded in now.

Sir Thomas Meres. The Debate is, whether the Paper shall be read, or no. My opinion is, that all forms in this House ought to be cautiously preserved, else we destroy the Commons of England. Whenever you fearch into this matter, I believe you will find there have been mistakes. I know that the matter lies in a short compass. When the King commands us to adjourn, may we not bring it to a Question? If our books show it, and that we divided upon that Question, the matter in question is out of doors. But by no means would I have this Debate adjourned, to lose it. Men may let it alone now, and take it up another time, to do mischief in unquiet times. As for laying it by as a troublesome thing, it may be laid aseep to trouble you more. Near Precedents of things are better than those of an hundred years since. If you think fit, let feven or eight gentlemen fearch books for Precedents, else you may be put to it on Thursday. I speak this to have the matter settled with dispatch.

Mr Secretary Williamson.] I look upon the thing particularly as between the House and the Crown, and not the Speaker; and I move for Thursday to debate it.

Col. Birch.] Whether the matter be betwixt the House and the Speaker, or the Crown and the House, 'tis of absolute necessity to be determined. If it had been determined in May last, we had not been troubled with it now, to lose our time. I remember the Precedent of the Tax-Bill, that Clarges mentioned, &c. 'Tis for the service of the Crown and us, in uniting us; and I would have this thing set right. If the banks be good,

the channel will go right. I would have such steps made in this as would give it dispatch. The Question the Speaker put is a fair Question, viz. Whether the Paper delivered at the table shall be read. I would have that put to the Question; but I would have any one show me a Precedent, whether a Paper given in at the table, and not then read, was read ever after. Then if any gentleman be of opinion not to have the Paper read, and be of opinion to adjourn to Thursday, and in the mean time would have you search Precedents, you will lose Thursday. Read the Paper now, and after that search Precedents.

The Question being put for reading the Paper now, it passed in the negative.

Ordered, That this Debate of the irregular Adjournment of the House, by the Speaker, be adjourned till Thursday.

#### Tuesday, January 29.

Debate on the King's Speech,

Sir John Knight.] 'Tis in vain for us to undertake to preserve that which cannot be preserved; the Spaniards seeming to decline our proposal of delivering up towns for the security of the forces that we shall send over to their assistance. Therefore, before we proceed any farther, I would have information from the King's Ministers, how the Treaty stands betwixt us and the Spaniards, and what alliances have been made since our last meeting.

Mr Secretary Coventry.] The King tells you, in his Speech, "That the alliances he has made cannot fail of their end in the prefervation of Flanders, unless prevented by the want of due affistances to support those alliances, or by the small regard the Spaniards have to their own preservation." 'Tis certain, that so much the greater France is, we are so much the less able to support our allies. The Spaniards tell you more of their forces than they are, and that they will bring them into the field in May; which they cannot do till August. They tell you that their army is 30,000 men, when

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they are not 20,000. You may refuse to affift the Spaniards, if you will; but the King hopes you will not.

Mr Secretary Williamson. I will add only this to what Coventry has faid; that the King has found, beyond the general remissness of Spain, their unreadiness to comply with what he has offered towards securing their towns, and they have not answered expectation. Securing their towns may go a great way towards their safety, and ours. The greater the danger is, it ought to be so far from being a remora, as to put spurs to our

fpeedy resolutions in this great affair.

Sir William Coventry. I go not about to defend Spain in their dealing with us. They may be faulty enough; but I am heartily forry we have fo long neglected Spain, that they are so low, and France so high, that they can do nothing for their own preservation. With the fame truth of heart that I spoke to you and God Almighty, in May laft, I will speak now. The King, in his Speech, is pleafed to tell us, "If we cannot obtain an honourable Peace, by fair means he will endeavour to do it by War." But pray God this be not fuch a Peace as we would not have! What opinion the House was of, in May last, as to this Peace, will appear in the last Addresses to his Majesty. The reasons in it were pretty fully expressed; and I am confirmed in my belief fince, that, confidering the height the King of France is now in, 'tis impossible for me to believe there can be fuch a Peace made with him as will give us any fecurity. Should it so happen (as the foreign Gazettes tell us of) that there should be a Peace, such a one as the King of France should think good; because it is done by the Confederates, and Holland, it is not our Peace, This swelling monarchy of France is founded on maxims of greatness and action; and the better bounds we make him, to prevent attacking Holland, he may the fooner fall upon us, if he come once to have rest, and be fitted for another flight. I know the difference between a Continent and an Island. 'Tis not every Peace will do our business. Some piece of ground, it may be, will be left

to Spain in Flanders, and the King of France got quite out of Holland, by this Peace; but our business here is England; not Spain, nor Holland, is our business only. As for Spain, considering the poverty he is in, he may be thought very unwife, if he does not accept of a truck with France, for fomething he can hold, for what he cannot hold. 'Tis only the confideration of the House of Austria that makes him hold what he has left in Flanders. Is England, therefore, well? Does France want ports, or men? The poor port of Oftend is of no use to invade England, or Ireland. France has plenty of ports besides; but I apprehend still the safety of England. Heretofore, as in 1670, Flanders was so near approaching the French territories, that, if any disorders happened in France, Spain might have marched with an army, even into the very bowels of France; as the Duke of Parma did in the time of the League. That kept the French in awe, for that army was ever watching to difturb France at the very heart. Nothing, in this great affair, will do us any good, but keeping fuch an army in Flanders; that, by its vicinity to the provinces of France, we may have opportunities to diffurb them; and, in confequence, by France disgorging Cambray and St Omers, we may fee Flanders put into fuch a condition that Spain may be able to march into the bowels of France, if they continue to disturb their neighbours. Less than reducing the French King to the Pyrenean Treaty, will not do our business. The King, in his Speech, seems to endeavour a Peace, but cannot without force. I fear to obtain that Peace, now a treating, by War, which cannot be done by mediation. For the Pyrenean Treaty I would do any thing; but for fuch a Peace as we hear of, I will not give twelve-pence. Our danger is nearer by it than ever. The French, by that Treaty, may difgorge a town or two in Flanders, and gain a kingdom by it. The King, in his Speech, is not fully pleafed to explain his intentions in that matter. He tells us of " ninety capital ships, and 40,000 land-men, as requifite for undertaking this war for the prefervation of Flanders."

ders." I confess I am not able to speak to this matter; for I know not what "capital ships" means. Formerly, when I was conversant in the Navy, we went by rates and guns; but if his Majesty means third-rate ships, (The Speaker informed bim, "that none under fourthrates were called capital (hips.") I think there is no danger of the French attacking us by fea. Sicily employs their navy fufficiently, and I do not believe the King of France will bring his fleet from thence to attack us and the Dutch in our feas. There is a necessity of our strength at fea, to fecure our plantations, the French having already a squadron of ships in the plantations. As long as the French fleet shall be detained at Messina, the Dutch are hired for Sicily. The main stress of our matter is to hinder the French from universal trade, all the world over; they being an enemy to us, and all Christendom. By this means, we shall cut off all that, and that makes me startle and wonder (I crave pardon for faying fo) at that expression in the King's Speech, where he proposes "a War with France," and yet "a continuation of the imposts upon wines, &c. to be fettled." It looks to me strangely I'll not trouble you often, and therefore pardon me if I am long now) And for "the 40,000 men for the land army," it looks as if we intended such an army as to undertake this great task ourselves, and support it by ourselves. Those Generals. of all the Confederates, who have been fo long coping with the French Generals, in point of conduct, have had their countries wasted, and their towns taken before their faces. I hope the officers the King chuses will not be men to learn, before they fet up their trade; elfe I fear they will lose stock and block, and all. King is pleafed to tell us farther, "that, although the Dutch shall do their parts, yet we shall need at least 20 or 40,000 men on ours, and their dependences." I fancy their train of artillery and dependences (the Northern gentlemen, I hope, will pardon the phrase) is, as when a traveller in the North asks how far 'tis to his inn; they tell him, a mile and a way-bit; and the Southern men find

find this way-bit as long as the mile. The contingences to 30,000 men is a kind of a way-bit. All this great work may be as well done, if a good body of forces be fent into Flanders, and well paid and disciplined, so as not to dare to take an apple, or a nut, without paying for it. But let us consider how feldom, of our own strength, we have done any thing, and what horour we have gained by being auxiliaries to others in former times. It may be, when we have landed upon our enemies, we have got fomething we could not hold, and the men did not what they went for. Queen Elizabeth fent four regiments, as auxiliaries to "the diffressed States," as then they called themselves, under Sir John Norris; and fo, more and more, as history tells us. This gave no jealoufy among those they were fent to; but when we got footing on the Continent, they grew jealous that we came to difunite, instead of helping them; and they gave us maritime towns instead. When Cromwell helped the King of France in Flanders, (he did a good thing in a bad time) he fent no general army, but auxiliaries. When I was a boy, I remember to have heard that Hobson, the famous carrier of Cambridge, being overtaken on the road by some gentlemen galloping hard on, and he going his own pace, fays he, "Gentlemen, if you'll not ride foftly, I shall be at my journey's end before you; for you'll either tire your horses, or break your necks." This great business against France must be of continuance. By our turning the French commodities on their hands, that we have used to consume so profusely, their people will not endure what he imposes upon them. When their trade is gone, they will rebell. I speak now in a dialect not used by me here. All this manner of proceeding looks as if France had still some friends amongst us here; but whoever has been partial to France, the King fees that the advice of this House is true and faithful, and that nothing is fafe for the nation but alliances against him. Those that have been partial to France, see that he must be cut short, if we go on; and therefore they put the King upon making fuch great demands, in his Speech, as will not probably be closed with by this House, and so we must go into the French Alliance again: Thus tiring the Horse before the journey's end. And I pray God, they put not these great demands into the King's Speech for that very purpose. The King's eyes are now opened, and I hope he may see more and more, to reduce the French to those bounds that may be safe for us. But any Peace driven at, short of the Pyrenean Treaty, will not do our business, and I would have a Consederation so made, and that we think of a method that the nation may bear it, and that we may show the King what we are able to bear. That, and no other.

Mr Secretary Coventry. I hear arguments against the Treaty the King has made, and all this while the Treaty is not known, what it is. I am not at liberty to tell you what the Treaty is, and I believe the Gentleman that spoke last cannot tell you. If it be that Treaty the Gentleman speaks of, then this Peace the King has made is not that Treaty. But thus much I can tell you, that if the King do procure a Peace it will be fuch a one as will fecure all Europe, and this Nation. As to the number of ships, and land men, if you have a number superior to the King of France, he will not fight with you, but keep close upon the advantage of encampments, as his custom is; and you must have more men to besiege than to defend. If England and Holland undertake to block up his Ports, you must have yet more ships, since France has 120 or 130 capital ships, and if he ruins all your Trade in the Medeterranean, you cannot be there and in the Plantations too. If your number of ships be more than the French you may do fomething. What De Ruyter loft \*, fet up the courage and reputation of the French. As for the landmen, I understand not that conclusion that we thould fend a fingle Army. But you will have a fleet withbut landmen! You will put all our Coasts in appre-

<sup>&</sup>quot; Off Sicily. See Vol. p. IV. p. 134.

hensions. Chatham's misfortune put the nation to 100,000 l. charge, by the alarm the Dutch gave upon our Coasts. The Navy must have 20,000 men, besides the Ports and Islands, and all this not intended for a land Army. Do you intend to govern all the King of Spain's fleet for him, and his Army? But I thought the observation was, that the King should get money by it. But the Question is, whether the King shall conduct it? There is no profit that he is able to get by it. Either you must think that he understands it not, or that he will make benefit by it. Accounts shall be given of the money, and as often called for as you please. There is nothing to be gained, only the King is to be trusted. The King tells you of "the imposts upon wines, as an easy tax." If there be wine in the world besides French wine, it will be drank here. and fo there will certainly be importation. In conclufion, if it be not found necessary, the King will not employ the money.

Sir William Coventry.] Something seems to be inferred from what I said, which I desire to purge myself of. Either we must give money, hand over head, or we must go by some steps and calculations to make up a sum, to bring the King's ministers upon the occasion of giving us some measures to go by. In general discourse, 'tis said to be a Treaty for some little spot of ground the French are to give back to the Spaniards in Flanders. But I say again, that less than reducing things to the state of the Pyrenean Treaty will not do our business. Our whole hopes lie at stake in this, and if a bad use be made of this money we are to give, we are ruined. I move for no Peace, but what will do our business. If less than the Pyrenean Treaty will do it, I desire to see it, for as yet it is unknown to me.

Mr. Powle.] I hope it will never be understood that, when we desired a War with the French King, it was a rash and inconsiderate one. What that War is intended, I hope will be declared, that satisfaction may be given to the House. When we enter into a War, I hope

we shall consider the end. We are told " 'tis to procure a fafe and honourable Peace; " but I would know what that is. If it be for fuch a Peace as shall oblige the King of France to restore all his acquisitions, and be reduced to what he holds in France, on the terms of the Pyrenean Treaty; under the condition the French are now in, we cannot expect fuch a Peace. But I fear this Peace is to leave the French King what he has conquered, or in a condition to get again what he shall give up, when he pleases. Or, in consequence, so to divide the Confederates, as to divide them totally. Such a Peace as this we ought to detest. The French King knows what that Peace is, proposed to the Spaniards and Confederates, and why it should be a secret to this House, I know not. In the next place, what affiftances we shall have in this War, is darkly expressed in the King's Speech, where he tells us not what those Alliances are that he has made. We know not one Article relating to it, and why this House should be kept thus in the dark, and foreign Ministers know it, I understand not. We are told that the Spaniards are not forward enough in the Alliances. Unless they be comprized in the league, I know not why we should give any money to support it. The War may be left upon us and Holland. 'Tis fit we confider what way we should support the Alliances, whether by land or naval forces. We have thought it advantageous to do it by sea, and help them at land by our money-Like a man skilled at his rapier, who yet will fight with cudgels, and has his head broke. The number of ships must be according to what we can fit out. The French fleet cannot be in the Mediterranean, and the Ocean all at a time; and I suppose a less number of thips may ferve than is proposed. I know not the use of landmen abroad; but I am sure they will cause suspicion at home. By an account, at a moderate estimate, these ships and men will cost a million to fit but. I would not begin the War at fuch a rate as foon to be weary of it. But when I fee no use of these landmen.

then, I am fure they will be discouragements to us. We have had the ill fortune to appropriate small sums of money to the uses we gave them, but vast sums never. Whilst we give small sums, there will be still recourse to Parliaments for more, but giving of great sums will make Parliaments useless. A great sum we are like to give, and I would see some grounds and reasons of entering into this War. In H. IV. and H. Vth's time, they subjected Treaties and War to Parliament, and now we would only know what is done by way of satisfaction to our Addresses. I desire to see things well at home to our fatisfaction, and I shall then be as forward as any man here to support the Treaties and Alliances.

Mr Secretary Williamson.] All War is made for Peace, &c.

Sir Thomas Littleton.] I am for giving a Supply to support these Alliances. If they are within any tolerable compass of reason, I would rather give money in the dark, than not farther them. As for the "ninety ships" demanded in the King's Speech, and "40,000 men, with their dependences;" this will amount to 200,000 l. a month, for thirteen months. The thing is not to be supported, and it will take a good time to fay when such a fleet shall swim at sea. Let us not over-measure the King of France. This great Tyrant has a great navy, but is not proportionable in men. He is extremely put to it, to fit out fifty capital ships. When he joined with us against Holland, we faw the bottom of what he had. He had few elsewhere then, and Holland had double, and more, at fea than he. As to the fear of invading us in the Channel, he has not one port that can receive a fourth rate ship, and from Brest he must have two winds to bring him hither. That is our fecurity, that the French have no port for a body of a fleet; their ports are only for a privateering way. So that in our conjunction with Holland, a few light frigates will ferve to fecure the Bay of Bifeay only, and for the Charante and Bourdeaux, a Squadron will ferve.

ferve. Forty capital ships of ours, and forty Dutch, may fo top him, that he may fet up a privateering trade, but can never hurt you. My defign is, that we may have such a number of ships, and keep within fuch a compass, as to maintain about 15 or 20,000 men, which, added to the Dutch, with English pay, would ftop the French progress, and endanger to beat them out of Flanders. I would have it this way rather, than upon our own account. In the last Dutch War the Committee of Miscarriages was troubled with enquiries, and no fruit of it. If they be thus joined, and disposed of into several stations, there will be little occasion of Miscarriages, and the War may be carried on with pleasure to the King, and satisfaction to our interest. I will fay a word of the league with Holland, for the preservation of Flanders, and the complaint of the remissness of Spain. I know not Holland, nor Spain, in this great affair; I am an Englishman. We hear of a project fent to the King of France, for restitution of seven or eight towns in Flanders, and his retaining Burgundy, and that the delivering up Tournay is only the difference in the Treaty; and is all this ftir of 40,000 men and ninety capital ships for reducing Tournay only? Probably this league, or project, was fent into France without the consent of Holland. If this league be only to this purpose, and farther, if it be short of the Pyrenean Treaty, 'tis no wonder the Spaniard is uneasy in it. The league is printed, and yet must be kept secret to us. If any Treaty come short of the Pyrenean Treaty, or that the Spaniard know not of it, can you blame him for being shy of accepting it? This too of the Pyrenean Treaty is what Holland would have had before. One comes to treat with us from Spain, and we are private and fecret; would not that put us to a stop, were it our own case? This Pyrenean Treaty will reconcile all parties.

Sir Thomas Lee.] No wonder, if a Prince will not take men into his towns, that Treaties are not finished. No wonder Spain should be shy of it. This sticks with

the; take the King's Speech in the whole coherence of it, it is War. But to provide for War to make an undoing Peace-I would know, and be well underflood, what we would have? I would not willingly have the Kingdom undone by the fame steps it had like once to be, when we gave two millions and a half for a Dutch War. This, by the greatness of the sum, drew all the miseries of credit and a leifurely carrying on the War. This looks like money given of no use for that end you intend it, which is for Peace, and what will fignify your appropriating it then? I remember, in the Dutch War, what we lost for want of intelligence. If this must be a War, I hope the King will do something towards it, out of his own revenue. I remember when the Triple League was made, we paid both for making and breaking it. Though this League is fuch a fecret to us, 'tis public in other places. It looks as if we must purchase leave to help the Spaniards at more than England can pay. If these be mutual Leagues, they must be to answer every body as well as some body. Methinks to make this great preparation to join with Holland, and we and the Prince of Orange by ourselves, I have great reason to suspect this to be a gin to leave France yet in a better condition. I cannot take for granted what Secretary Coventry faid, " That the King's income is upon other wines as well as French." The Customers can tell you what comes in now upon the new imposts of wines, that the King mentioned in his Speech. Upon the whole, if by computation the War will come to fo much as the nation cannot bear, France at the last will run us up.

Sir John Ernly.] I hear it said, "That this demand of men and ships is so extravagant, as if it were to bring you into a Peace with France, rather than a War." But I hope we shall not submit to our enemies, for Peace of ourselves. We talk as if we were making a smithsheld bargain, as if there would be any profit, or benefit, to the King by it. If there be an over calculation of men and ships, they will not be employed, and

fo the charge will be less. The King desires you should know the bottom of his heart. Compute the guard of the Channel, and your Leeward Islands, and hindering the French trade (without which you do nothing) besides Convoys for protection of your trade, and I see not how all that can be done with less than is demanded.

Col. Birch. You cannot forget that I once told you a tale " of a crab-tree cudgel, and a glass bottle." I put you in mind now that you must have a sharp sword instead of a crab-tree cudgel. I know the King stood in the place of mediator at Nimeguen, but I think that is allowed, and the state of that case is gone. That is fure not our turn now. This Debate was begun with much weight by Sir William Coventry. He spoke plain English, but I have not heard any thing spoken plain fince. 'I is for want of understanding, or that I am not worthy that those Gentlemen should descend to my capacity, who may inform us clearly if they pleafe. At the beginning of the War, I did what I could in this place to have the Pyrenean Treaty kept on foot fix or feven years ago. The two main things are to begin and end, and I see not yet to the contrary, but that less than the Pyrenean Treaty is not sense. The honourable person (Secretary Coventry) " had not yet in command" he tells us, " to inform us of the particulars of these Treaties." 'Tis strange, that, in a thing that concerns every individual man of us, we should be left in the dark. A strange thing has been hinted, "That so many Confederates will not be faved, nor fuffer themselves to be faved." But in this we must have satisfaction, before we can go any farther, viz. What the Dutch will enter into towards this matter. We lofe our time in debating till that thing be clear before us. He that is at bowls. and winks before he delivers his bowl, will never make a good cast. But when you have delivered your bowl, you may wink, and the bowl will run to the mark. If things be according to the town talk, there is a project of a Peace fent into France—And that hour that towns are given up according to that Treaty, and the League of Confederacy broken, we are delivered up to the great man, the French King. His tyrannical Government must have a hundred thousand men to walk his Kingdom to keep all quiet, and to supply his Flanders conquests-And that will keep Christendom in a Confederacy—I would know whether we intend this great work feriously—If a man's neighbour, that has a mind to buy, ask him three times more than the farm is worth, we may eafily believe that his neighbour never intended to fell it. The King will trust us better when he sees we have been longer in the right, before he faw it. There was reason to adjourn these days we did to complete these things, and I agree, therefore, that, unless these things are now cleared, we adjourn the Debate fome days, and, when that is done, that we may fee all things in this great affair thoroughly, and that is my Motion.

Mr Secretary Coventry.] If you flay till all Treaties and Alliances are made, Flanders will be gone, and

fome more of Holland too.

Mr Secretary Williamson.] Birch would know of us what is farther intended. There are several Treaties on foot with great Princes, in their several natures and concerns, but not to be reckoned upon in the main Scheme. There is a great difference between the Pyrenean Treaty, and that which must be entered into now. That was defensive, and all Trade prohibited—

Sir William Coventry.] I differ from Birch, in this Motion, though I agree to all the rest he has said. I would not delay this business at all by adjourning the Debate; it will look cold. That may do well on the King's part to be as Mediator, but the King is absolved from that now. The King is under a dissiculty, if France should accept of that Treaty which was then offered him. I would be glad to preclude that Treaty. There is nothing more towards oiling the wheels to that step than for the King to answer the French King with saying, "My people dislike that Treaty, and, now you have not taken me at my word, I must comply

with my people." Then was then, and now is now, I therefore move that we may address the King not to accept any thing in this Treaty, less than the Pyrenean

Treaty.

Mr Sacheverell. I have been one of those that have been long afraid of this Treaty. If France faw us in good earnest, he would accept of Articles. Pray God there be none betwixt the French and us, not to be shown! We are called upon for a great number of Thips. They caunot be fet out till Michaelmas next, and what can that do? Where have you a Port in the Mediterranean, if the Spaniards be not comprehended? This advice is not laid upon a good foundation with the King. Let us show the King that as long as the French, King stands as he is, with a great Army, Treasure, and Navy, we cannot be fafe. We must put him so far as not to have a power to hurt us, which he will ever have by this Treaty now on foot, which the Pyrenean Treaty will prevent, with which you may be fafe, and without which you cannot.

Sir Thomas Clarges.] I hope this Alliance, discoursed of, is not so perfectly made, but that we may have it part of our Treaty, that no Peace shall be made with France till they be reduced to the terms of the Pyremean Treaty 1660, which, at the Treaty of Aix la Chapelle, was communicated to us. Sending some ships to join Holland, and 40,000 l. per month, may occasion the saving Flanders. We have reason to infist now on the Pyrenean Treaty, because all the Treaties betwixt Spain, France, the Empire, and Lorrain, end in the Pyrenean

Treaty 1660, or fome other Treaty equivalent.

Sir Thomas Meres.] No man thinks but we look farther than this Treaty now on foot. The end we drive at, and all our former Addresses, were upon this of the Pyrenean Treaty, though not upon our books till now. Let not that come then as a new Motion, for, in former Addresses, 'tis as high as can be. But I will not oppose it if we come to particulars now.

Lord

Lord Cavendish.] I never apprehended greater danger than by the project of this Treaty sent into France. If any persons about the King have been formerly cold in this Address, it will show them now, and if any persons in the House agree to this Address now, it will show them too; and that there may be no dispute of this Address, I move that we may stand by the King in prosecuting this Address which we now desire.

Sir Henry Capel. Seconds the Motion.

Mr Secretary Williamson.] If you advise the King so far as the Pyrenean Treaty, consider there is something already done of a Treaty, and it may be executed to day. The necessity of the thing suffers not many days, and it may be this hour; but this moved for does not support the King in the engagement he is entered into. The King has offered to go farther with the Spaniards than they are willing to go with him. This does not the other business; an engagement is actually entered into, and becomes an obligation that you have formerly entered into, and this Treaty may be part of what you desire, and I move that you will lay aside this Question.

Mr. Garroway.] If Secretary Williamson will tell us what those conditions are that we are to support, he tells us something, but perhaps we are to support we know not what, that is Peace; but I would have it known to the World, that you will never forsake the

Spaniards.

Mr Secretary Williamson, The King has actually entered into an engagement for the preservation of Flanders, and these wishes from you of reducing things to the terms of the Pyrenean Treaty do not at all forward

what is already upon your hands.

Sir William Coventry.] Least whilst we are debating this matter, the King of France should accept of the project sent to him of a Treaty, I would put a buckler into the King's hands before that. I move not to preclude and debate of that hereafter, but I would not have two hares on foot at once, and I move, as has been

menti-

mentioned, that the Prince of Orange may be a party in the Address.

Refolved, That an Address be presented to his Majesty containing the thanks of the House, for expressing his great care of the Protestant Religion, in imarrying of his Niece with a Protestant Prince; and humbly to beseech his Majesty, that his Majesty will be pleased to admit of no Treaty of Peace, but such a one as leaves the French King in no better state and condition to offend his neighbours, than he is left in by the Pyrenean Treaty; (for the obtaining of which, his Majesty shall never want the ready assistance and support of this House;) and that neither ourselves, nor any other of the Allies, shall hold any Commerce or Trade with the French King, or his subjects, during the War.

[And a Committee was appointed to draw it up,]

Lord Obrien moved that the House should take into consideration the solemn burial of the late King, who had interment without Christian Burial; and was seconded by several, and 'twas ordered that it should be considered next day, in the afternoon, after the solemnity of the day was over,

#### Wednesday, Jan. 30.

[In the afternoon. In a Grand Committee] On the late King's interment.

#### Sir Philip Warwick in the Chair.

Sir John Ernly.] Moves that the manner of the late King's burial may be defirable to the King; and I believe 70,000 l. may do the business, and raise a monument, to remain to posterity, which may be of the value of half that sum at least; and I hope that sum may do.

Mr Secretary Williamson.] I find a general agreement of the thing. I would have something more expressed from the House in it, as to the money. The monument to be equal, or superior to the late King's ancestors, I would leave that to the King's pleasure, and for so much as the show of one day would bear; the rest of the money to be for the monument. The King, in his intentions, had computed the prospect of the charge at 80,000 st. If there be a monument, the

charge will not presently begin; it will be four years

in building.

Sir Charles Harbord.] It was the King's judgment to place him at Windsor where Edward IV was buried; but Henry VII. was buried at Westminster, and they both were his Ancestors. The monument and covering cannot come to less than 70,000 l. Two months assessment added to the ship-money will do it; and let it be so done as to have it the King's Act.

Sir John Birkenhead.] St Paul's is a place proper, if one place be better than another in this island; and

for God's fake, let it be that.

Mr Secretary Coventry.] The great charge, and the Wars we have been in almost ever fince the King's Restoration, have hindered the King from doing it. This is an act of great piety in this House, and I humbly propose a procession, and a monument; and if we take the King along with us, we do very well; since it is our present to the King, and the son of him that you would make the monument for. Therefore I would have it left to the King's pleasure, both the monument and solemnity.

Sir Thomas Meres.] If the King shall please to appoint the monument and solemnity to be at Windsor, a much less sum than is propounded will serve. If there must be a monument, I am rather for laying out the money in that than in a procession, which will be over in a day; and for him that died for the Protestant religion I would have a monument lest to pos-

terity.

Mr Henry Seymour.] The late King told me, not long before his death, "That if he would facrifice religion, and his friends, he might have his life faved." He did not only defire, but command his fon, the Prince, to forgive them that took away his life, and to make his Majesty to obtain his right through as little blood as might be.

Col. Titus.] I cannot think that the King can take it ill, if we present him our opinion as to the place and Yor. V.

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folem:

folemnity of the burial. I think St Paul's the most convenient place for it. A great many of his Ancestors have been buried there, and it was a Christian King that built St Paul's; King Ethelbert, who was the first Christian King—(I mean not the Most Christian King.) I think St Paul's to be the most proper place.

Mr Wright.] I would keep close to the Order of the House, and, with as much respect to the King as

may be, leave it all to him.

The Speaker then refumed the Chair, and Sir Philip Warnwick reported from the Committee, That 'tis their opinion that two months tax be raifed, at the rate of 34,000 l. a month, for the interment of his late facred Majesty, and for erecting him a monument; the first month's payment to commence from the expiration of the present monthly tax, and the second the twelvementh after; and that both the place and the manner of burial of his late martyred Majesty be lest to the King's pleasure\*.

Sir Thomas Lee.] Considering the Debate the other day, I would charge land as little as may be, not knowing what occasion we shall have for it. The Imposition upon the law is expiring within a year or two, and I would have that continued a little longer time, which will do this business.

Sir John Birkenhead.] He was a King of us all, and let us all share this charge; and I would have it laid upon land.

The House agreed with the Committee.

[Ordered, That a Bill be brought in accordingly]

#### Tbursday, January 31.

Complaint was made by Sir William Frankland, and others, of the irregular proceeding of the Collectors of the Chimney-money, and the fending for Gentlemen up to the Council-table to answer

<sup>\*</sup> This last paragraph is not in the Vote as printed in the Jour-

accusations from them; especially in Mr Robert Pierpoint's

Mr Secretary Coventry.] Suppose a Member of Parliament is Governor of a Garrison, and there be an accusation against him, (be it true or false) that he corresponds with the King's enemies; shall not the King send for him up to the Council to answer it? If any injustice be done to the Gentleman, on hearing matter of fact, there may be cause of complaint. He is a Member of Parliament, and may not the King, if he sees cause, turn him out of his Government, in Privilege time? Bring the state of the case of these Gentlemen before you, and then you are ripe to debate it,

Sir William Hickman.] This case is declared no matter of state; 'tis only relating to the Chimney Act.

Sir Thomas Lee.] The case is this; the farmer of the Chimney-duty complains of these Gentlemen to the Council-table, and makes it a private cause, in his own right. Before the duty was farmed, when the King had it in his own hands, I have heard that more money was made of it, and there were sewer complaints of the misdemeanor of the officers. When our poor neighbours in the country cannot be eased, when the Collectors have done them wrong, without sear of the Justices being summoned up to the Council-board to answer it, either no Gentleman must be a Justice, or you must make an Act that Justices may not be Judges in this case. I would have these persons that have broke your Privilege sent up for in custody.

Mr May.] 'Tis faid "this is but for for a two shilling matter that a Gentleman is sent for up to the Counciltable." If it be for doing right, he need not be afraid of being sent for. (laughed at)

about collecting the duty of Hearthmoney, in serving them with process, and summoning them to attend the King's Bench Court, during the sitting and privilege of Parliament."

<sup>\*</sup> In the Journal it is, "Complaint was made of a breach of Privilege committed on Sir Metcalfe Robinson, and Sir William Frankland, two Members of the House, by one Leonard Crosby, an officer employed

Col. Titus.] You have been told that the Lord Treafurer recalled the Summons to the Members that were complained of by the farmers, being of opinion that the fummoning them was a breach of Privilege, and the Members of the Council were of opinion that 'twas a breach of Privilege, and the House being so too, I

would have them fent for in custody.

Sir Charles Harbord.] There is a distinction between fending "for a man," and "to a man." If "for a man," then 'tis a breach of Privilege; if "to a man," 'tis none. If it be to answer something I think sit to answer, if I be not punished for what I have done, I shall not be justissed in it. If that be the case, 'tis no breach of Privilege. But if an Order be sent to a Member, as in the case of subpana, or citation, to the Prerogative Court, to impede the Member in person or estate,

'tis a breach of Privilege.

Sir Thomas Meres. If he that fummons the Member shows a penalty annexed to the summons, then the argument is loft. There is no greater penalty than the diffrace of being turned out of commission of the peace in the face of his country (as Mr Pierpoint was.) It will be either looked upon that the Gentleman is ignorant in his office, or that he is guilty of some wilful neglect. The Chimney duty is regulated by a law, and the judgment, upon difference arising between the Collectors and the parties grieved, is final in the Justices The Council-board, whose judgment is not final in these cases, sends up for a Judge to censure him, whose judgment is final. Suppose the King's Bench should fend for a Member; in such a case, no man doubts but 'tis a breach of Privilege. In matters of state we do allow an authority in the Council-table. this case is in matter of meum and tuum; there is twelve pence in the case. This House formerly voted the Leicester case, between the excisemen, a grievance, which you determined in the last Act of the Excise; and I could wish this was so too.

Mr Secretary Williamson.] I hope the Council-board will never do any thing against law. The person who had the Order of Council may offend in the manner of executing his Commission. If the Judges are complained of to the Council-table, on any notorious complaint, they are sent for, and the course of law is ordered against them. If you think fit, in a day or two, let the case be prepared to see the tenderness of the Council, in the proceedings against your Member, and likewise what your Member has done.

Mr Sacheverell.] This is a case said, in the Order, to be in savour of your Member. This summons to appear at the Council was after your Member was turned out

of Commission, and before he was heard.

Ordered, That the person who committed the breach of Privilege upon Sir William Frankland, &c. be sent for in custody; and that the patent of the sarmers of the Chimney Act be brought to the House, &c \*.

The Address ordered January 29, was reported, and debated.

Mr Secretary Coventry.] "The King of France not to be left in any greater power than he retained by the Pyrenean Treaty, &c." Do you mean by this, that, if the King's Allies shall not go so far, you will quit their Alliance? I would have that explained.

Lord Obrien.] If any fuch care had been taken to fecure your Plantations, till Alliances were made, I

should not be against the Address.

Mr Garroway.] We are so unfortunate as, in these matters of Alliances, to be in the dark. We know nothing, and are told nothing that must be done, and so we make drafts of Addresses accordingly. If the Members of the Privy Council will tell us what has been done, we may know what measure to go by; but if nothing be offered, to us, less than what is contained in this Address cannot be done by us. When Alliances are imparted to us, we may do accordingly. Tillthen, I would have this Address go on.

<sup>.</sup> This last paragraph is not in the Journal.

Mr Secretary Williamson. ] You seem not satisfied that the Alliances entered into go not far enough, and that you have not light enough into them, and therefore you make this Address; but that will not clear you at all. Suppose the Alles will not come up to this Address, shall the King then, for his own safety, make none at all? Shall he stand by himself? Another thing is, there may be an actual engagement in the Treaties already made, and that, for ought I know, ought to be executed now whilst we are addressing. Do you mean to difallow the Treaties if they be made, or that the King shall stop and go no farther in what Alliances he has begun? We are not bound to do according to what is talked of abroad. Be pleased to debate the Address; paragraph by paragraph.

Mr Powle. The Gentlemen now against this part of the Address, " of reducing the French King to the terms of the Pyrenean Treaty" feemed to make no question of it; when the Address was ordered, that the Confederates were willing to come up to it, being engaged much to that matter already. If they will come up to it, we have our ends; if not, we have time to think farther what to do. Where is the delay, I would know, of the execution of that Treaty, (we are told of) in hand? I would not give money till I know for what, and, when I do know those Treaties, I shall then give my consent

chearfully.

Sir John Ernly. If the Address be to reduce the King of France to that strength of ships and men he was in at the Pyrenean Treaty, I hope that is not your meaning. I am as afraid of the Confederates making Peace. as any man. There is no Treaty but what Spain has agreed to, taken in, and confented to: I would look a little back to our last Address, and the King's Answer

to it.

Mr Secretary Coventry. I do not fay that the Pyrenean is too little, but I say, the King intends more in the Treaty now on foot than that Treaty. Your Address Tays, "To fecure your Majesty, &c. from the growth and

near

and power of the French King, that he alone may not be able to disturb the peace thereof, &c." Suppose the King of Spain should treat with France about change of territories, and he has been offered it—Would you not have the King go as far as he can get Confederates to go? If they are not of the mind to hold out the War, and you enter into this Declaration, he may be left alone to stop that exorbitant power of France. The advice is good, of stopping that power; but, as the Address is penned, it is very inconvenient advice. Put not the King upon engaging, upon your words, in what may be of great inconvenience to him.

Sir Tho. Meres.] I find, that reducing the French to the terms of the Pyrenean Treaty is not exorbitant. There are, fince that Treaty, twenty-fix places in the French hands of the Spanish Netherlands. You come in to the Confederates by this Address, as they are engaged to one another already. But I find now, by some gentlemen, that Address is much liked, which we were checked for by the King. Now, this Address is done in prosecution of our former, and none less than the Pyrenean Treaty can do our work. We have declared our opinions already. To reasonable men we make reasonable proposals; and I would agree to the Address.

Sir Robert Howard.] I allow, it had been much better to have entered into this Treaty sooner; but consider what has been done since. There has been waste of sleets and armies, and the Confederates are in no condition to support this Treaty. This Address seems as if, upon good or ill success, we would be masters of equal fortune. Some, I hear, say the Confederates have already entered into as great a Treaty as this we have advised, (that is but hear-say) Now the Question is, if they be wasted and destroyed, and they come not up to this of the Pyrenean Treaty, whether shall all sink, and you will let France alone? But I am still one of those that think less than that Treaty cannot be done, to do us any good. No question but the King will go as

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near as he can to it; but I would not have him brought

into a condition not to answer your expectation.

Col. Titus.] I am for passing this Clause of the Pyrenean Treaty as it is. Why do you enter into War? Is
it that you love War, or for emulation of the power of
the French King? 'Tis not for War's sake, for that you
foresee is chargeable and dangerous. The reason is,
the preservation of the kingdom from the exorbitant
power of the French King, dangerous to our safety. If
you will say, you are not sure whether the alliances will
do it, then it is to no purpose to enter into it with them.
Will you make a War, and yet leave the French King
as powerful as before? To abridge him of that power is
the end of this Address; and I would pass this Clause of

the Pyrenean Treaty.

Col. Birch.] 'Tis very necessary that we do, in this great affair, as those under the reputation of wise men in Parliament. If you mean to have the hands, hearts, and purses of all England, to prosecute this War, they must fee to have their account by it. Keep up the Confederacy, and rather let it be longer than fall short. I would have you over-do them. Though the Confederates have reason to value the King's promises, yet get confidence in others-Whether is not this promise stronger, If the people of England will stand by him in it with their purses? No way can secure us but that. If the Confederates come not up to us; we will not confederate with them. If we leave the King of France as he is, he will fall upon us; let us prevent him, if we 'Tis absolutely necessary (my meaning is good, though my expression is bad) that, in this thing, we must have plain dealing. "If the body of England cannot bear it, they must be satisfied," is as old as Henry IV. But, as foon as I know what is done, I would close with that as far as reasonably we can. But how shall we make a shot; and have no mark? There is great talk in town of a project of peace, fent into France, and the French only make the difference in refigning one town; Tournay.

Tournay. I would give a quarter of what we shall now give, rather than that Treaty should be agreed to. Upon the whole matter, I would pass the paragraph, as agree-

ing to our former Addresses.

Mr Harbord.] I remember, when I was at Grand Cairo, the Bashaw had no ships in port to go out to carry goods to Constantinople, and he laid an embargo on three French ships, and one English ship, Capt. Ell commander, for that purpose. They conspired together, and ran away with their loading. Though they came to Legborn, to fell the goods they were laden with, a free port, yet the English Conful commanded all Ell's goods to be put into his hands, and they were all fent to Constantinople; but the French ships sold all their goods, notwithstanding their Conful's order to the contrary. Admiral Blake happened to be in Leghorn road at that time, and they refused him watering for the thips. He fent them word, that he would ruin their port with one ship only, for he would go on board every Dutch and French this in the port." And fo, as many as came in were obliged to perform quarentine. (Blake coming from a place infected with the plague, which was the reason they would not admit him to water.) And he ruined their trade by it with all that came in, except English, which he did not board; and so they were free to trade. As I was coming to England, I overtook forty or fifty French seamen, cast away in the Bourbon, a French man of war. They told me that the English had used them barbarously, and they were to go to Marseilles and Bourdeaux for employment. So that if the French fend fo far for their feamen, what can they do upon us, to invest us by sea? If we may have plain dealing, and trust and confidence restored, we may prosper; which has occasioned me to give you these instances.

Sir Thomas Clarges.] I move to have the Treaty now on foot delivered to us, that we may go chearfully on in this great business.

Mr Powle.] This Address will carry the thing farther on, than other Addresses have done. It will now be affisted by our purposes to support it.

Sir Tho. Meres. ] We may give money upon this Treaty, when we fee it; but, till then, I am one of those that will

not give a penny towards it.

Lord Obrien. If Flanders be loft, let the blame lie at their doors that are against affisting the King, if any

misfortune follow.—His words gave offence.

Sir Thomas Littleton. Upon this occasion I would give the King affurance of our performances in affifting him, in affirmative words. I would have no negative Words put into the Address, to say, "that we will not give, but if we see the Treaty, we will give." I would first see where the fault lies. I cannot imagine, that the Dutch or Spanish Ambassador would abuse the King by these Treaties, and have no power from their masters to conclude them. That their Ambassadors should not have power to come into what they have done, and not take a Confederate in, able to affift—I cannot believe fuch a defect of power; and that the Spanish Ambassador must fend to Madrid for farther powers (as we have been told.) I hope, by this way we are about to take, in a few days, we shall see where the fault is. But this Address does not exclude us from affifting the King. There is no negative thing in it.

Mr Secretary Williamson.] To what Littleton speaks of "foreseeing the powers of the Ambassadors to conclude the Treaty," I think that will not cost many days to resolve you; but I answer him, that part of power of sinally concluding a Treaty is the last given to an Ambassador—To stand so long and so sully into such a Treaty. The obligation of Spain, in this Treaty, is as principal; Holland, and the other Allies, is accessary only. 'Tis true, that, in one Article, Holland is obliged never to make Peace without the consent of Spain, and to restore the Pyrenean Treaty; unless, for the sake of Peace, it shall be otherwise agreed by the parties. 'Tis plain, that notwithstanding this engagement, Holland

answers

answers the Emperor and Spain, that they have suffered fo long by this War, and their poverty is so great, that they are not able to go on any farther in carrying on the war; that they are impotent, and the utmost you can hope and think of them, will be attended with this pullback. Therefore we cannot think, nor hope, in so short a time, to have a resolution of your Address; but you

should provide for necessities in the interim.

Mr Secretary Covenity.] 'Tis a great mistake. The Spanish Ambassador may have power and instructions to sign the Treaty; but not to ratify it, which must come from Madrid and Vienna; and 'tis no unusual thing for Ambassadors to be without powers of ratification. I wish the Pyrenean Treaty from the bottom of my heart: But suppose it might be part of the Alliance, and the War should be with France to reduce him to it, and we be driven to emergences, and we have no Peace to save the nation less than the Pyrenean Treaty—If we should have a defection of our Allies, must not the King save his Nation upon any emergency? If we give this of the Pyrenean Treaty as a binding condition, to have that and no other, I aver, we put the King and the Nation in danger.

Mr Harbord.] You are told "That the States of Holland are reduced to necessity, and are forced to tell all Europe and Spain, they can no longer support the War, but must procure the best peace they can." If we have a league offensive and defensive with the States, it is probable they cannot bring in Spain and the Emperor, because it looks like a league to get peace. The objection from Secretary Coventry is, "If an accident should happen (the sleet burnt or the Confederates beaten) must we stick still to the Pyrenean Treaty?" I answer, that this House has always been dutiful to the King, and, upon any emergency, may be called, and they have never failed to supply the King with their

purses and advice.

Sir Tho. Littleton.] What is defired has been an usual thing done, and may be done again; which is to

fee this Treaty. If the Ambassadors sign, and the States agree to it, I would never stay for a ratisfication from Madrid, but give money presently upon it.

The Proviso for prohibiting French Trade debated.

Sir Tho. Littleton. Who are out of this War with France? Hamburgh, the Hans Towns, Portugal, and the Genoese, and the rest of the Italian Princes. What need we be afraid of those Merchants? We may displease them, but Monarchs we cannot displease: Only Portugal may have more vent for their wines by it here and in other places, and may be a gainer likewise by his falt. The two naval powers of Holland and England were never united, and if they fay the word, though all the world be against us, 'tis no matter. It may be, Holland may have some river blocked up, in the Indies, by the French, but they have a territory there of 600 miles in length. But this naval power joined will block up France by sea, and in the effect so trouble them, that they must relinqush their conquests by land, to save their country. This, I believe, will be the effect of joining our fleets, and prohibiting Trade with the French.

Mr Secretary Coventry.] Judge what kind of affront this forbidding of Trade will be to your neighbours, to make that an Article of Confederacy with them. All the Italian Princes will be upon you, if you shut up their ports to French Trade, so that neither the Duke of Savoy nor the Pope (spoken merrily) may trade with the King of France. To make a general Order against any of our friends to trade with him—it cannot be.

Mr Secretary Williamson.] Spoke something (which could not well be heard) about the unneighbourliness of this prohibition of Trade with the King of France.

Sir Tho. Meres.] How can we help the constitution of our Nation in this point of French Trade? If it goes on at the rate 'tis now at, 'twill ruin us. We cannot support our Interest without this prohibition, and let the Italian Princes and the Hans Towns look after their

own interest. If Flanders be lost, when the House has been two or three years persuading the preservation of it by Alliances, we have offered our Aids, Advices, and Counsels, and they have not been liked, and we are told there is not time to do what we advise. We have been put off two or three years from suppressing the growth of Popery, and now we are come to a precipice and a push in this matter, it shall never be said to be our fault, that we suppress not this exorbitant Trade of

France, that will ruin us.

Col. Birch.] I humbly conceive, that 'tis for the interest of the Consederates to do this thing we are about; that, whilst we are fighting, the French may not take all the profit of their wines and other commodities; and it seems to some that that is not a considerable thing, 'Tis our money, and the Dutch money, that must support the Consederacy, and may not these Princes and Towns out of the Consederacy, fetch the French Commodities, and so disperse them all Europe over, and for salt, silk, &c. and the French King have your money still? I would never have a Peace with them, but such a one as we may sit down and say, there is safety in that Peace. If you will suffer others to fetch the French Commodities, and so feed them with money, that, I am sure, will not answer the end.

This Clause of prohibition of Trade was added to the Address, and the Address was agreed to, as follows:

We your Majesty's most humble and loyal Subjects, the Commons in this present Parliament assembled, do in all duty and gratitude render our most humble thanks to your most facred Majesty for the great care your Majesty hath expressed for the preservation and encouragement of the Protestant Religion, by concluding a marriage between the Lady Mary, your Majesty's Niece, and the Prince of Orange, being a Prince professing the same Religion with us, and engaged in arms for the defence of the common cause of Christendom: For the promoting of which we do, in all humility, and with the highest zeal to your Majesty's honour, and the safety of your people, beseech your Majesty not to admit of any Treaty of Peace, whereby the French King shall be left in the possession of any larger dominions and terri-

territories, or of any greater power than what he retained by the Pyrenean Treaty; less than which, we conceive, cannot secure your Majesty's Kingdoms, and the rest of Europe, from the growth and power of the faid King, but that he alone may be able to disturb the Peace thereof, whensoever he is minded to attempt it; the places referved by that Treaty to the King of Spain in the Netherlands being advantageous, as well by the vicinity of some important towns and garrisons to the Kingdom of France, as by the extent of the Territory. And we do most humbly defire that, in all Treaties, Articles, and Confederations, in order to the obtaining that end, your Majesty would be pleased to provide that none of the parties that shall join with your Majesty in making War for that purpose, may lay down their arms, or depart from their Alliances, till the faid King be reduced at least to the said Treaty: And we do farther desire, as one of the most effectual means to attain those ends, that it may be agreed between your Majesty and the Confederates, that neither ourselves nor any of them shall hold any Commerce or Trade with the French King, or his subjects, during fuch War; and that no Commodity of the growth, product, or manufacture of France, or of any of the Territories [or Dominions of the French King, be admitted to be brought into your Majesty's, or any of their Countries and Dominions, either by land or fea, or to be fold within the fame; but that they be seized and destroyed wheresoever they be found, and days to be limited for the same, in as short time as the nature of such affairs will permit: And that in all Treaties, Articles, and Confederations, made in order to or: for the profecution of fuch War, it may be agreed and declared, that no vessel of any Nation whatfoever shall be permitted to enter into or come out of the ports of France, but that the ship and men shall be seized, and the goods destroyed."

We do therefore most humbly desire your Majesty to proceed in making such Alliances and Confederations [as shall be necessary] for the attaining those ends; and though we believe your Majesty can never doubt of the affections of your people, yet, upon this occasion, we do, with all alacrity, and with one unanimous consent, renew our former promises and engagements; beseeching your Majesty to rest considently assured of our perseverance in the prosecution of the said War; and that when your Majesty shall please to impart such Alliances and Confederations to us in Parliament, we shall, upon all occasions, give your Majesty such ready assistances and supports as may, by the blessing of God, bring the said War to a happy con-

clufion."

The Privy-Counsellors of the House were ordered to know his Majesty's pleasure, when he would be attended with this Address.

## Friday, February 1.

Sir William Smith complained of Sir Solomon Swale's being convicted for Popish recusancy, upon Record, [in the County of Middlefex.]

of Conviction. The most innocent of mankind may be convicted of recusancy by surprize, but the law gives men time to set themselves free from their Conviction by conformity. It is my opinion to have the Record of his Conviction sent for, and time allowed him to attend you here. I would not hastily turn this gentleman out of the House for recusancy, unless it be certainly known whether he be convicted or not.

The Speaker reads the Record. By this Conviction, any different in opinion may be convicted, as Sir Solomon Swale is, it being "for not coming to his Parish Church."

Mr Powle.] I like not Gentlemens bringing Records hither, but I would have you command the officer to bring the Record; and then you proceed as you think fit.

Sir Charles Harbord.] 'Tis not for the honour of the House, whilst we make laws against Popery, to suffer a Member convicted of recusancy to sit amongst us, and suffer it here. But when such a thing is represented to you, you can do no less than examine it, and send for Swale to appear, and there will be no surprize at all, as you formerly did in the case of Sir Thomas Strickland.

The officer was ordered to attend with the Record on Monday.

[Debate on the frequent and irregular granting of Paper Protections.]

The Speaker.] Pursuant to the Order of the House, I have sent out an Order to superfede all Paper Protections. I find about a hundred in London and Middlesex.

Mr Powle. This, of Protections, is another abuse that these long Sessions of Parliament produce. We are adjourned from day to day without doing business, and Privilege continues long. Formerly, when [there was] an end of the Session, there was an end of the Privilege and Protections. I hope we shall now do our business, and be prorogued, and so have an end of these Protections.

Sir Courtney Poole.] Moves for a fearch, all England over, that Gentlemen may answer, in their places, whether they have granted out any Protections under their

hand.

Sir Tho. Lee.] It has always been the custom of Parliament, that we can protect no more than our menial fervants. But that which frights people from complaining is your not declaring how far Privilege extends. If you make publication, "That men may arrest perfons, notwithstanding Paper Protections," that will remedy the thing, and men may be safe, and the law may go forward.

Mr Garroway.] I hear the Lords are before hand with us in this of Protections; they have registered, and numbered their menial servants. If you find Gentlemen have extraordinary numbers, you may find out the abuse, and

vindicate your honours in it.

Mr Thomas Wyndham presented a Petition from Mrs Cottington, complaining "that Col. Wanklyn, a Member of the House, protected Mr Cottington, her Husband, as his menial servant, against her hearing a cause depending between her and her Husband, about the validity of their marriage at Turin in Italy, (she being of that Country) and humbly desiring the favour of the House, that the said Protection may be withdrawn."

The Speaker.] Col. Wanklyn was with me about it, and he promised me that he would withdraw the Protection.

Col. Wanklyn.] I did withdraw the Protection, according to my promise; but the Bishop of Lincoln said, "That Mr Cottington had received a sentence in the Court of Arches against the law of God, and that the Gentle-

Gentleman was under a hard cenfure;" and so I granted him my Protection, but revoked it on Thursday last.

Mr Secretary Coventry.] This Gentleman, Cottington, it feems, is protected by your Member, because he thinks he has a righteous cause, and the Judges in the Ecclesiastical Court think he has a wrong cause. If you give your Members leave to protect persons against Judgments and Sentences, when they think the Judges are in the wrong, the House of Commons will be a great place.

Col. Wanklyn.] I do aver that Mr Cottington was my fervant, and had done me very acceptable fervice.

Sir John Birkenbead ] Whenever a day of hearing came, then Mr Cottington had his Protection from Col. Wanklyn ready. The Judge of the Spiritual Court fent to Col. Wanklyn, and I spoke to him fix times about it, and he promised me to revoke the Protection. Then he certified his Protection, and a public Notary entered it, "recalled," and soon after Col. Wanklyn revoked his revocation. Let him prove Mr Cottington to be his menial servant. A man of Mr Cottington's estate to be his servant! Let him give it under his hand, that now he is his menial servant.

The Speaker reads an old Order Sir Edward Turner made when he was Speaker: viz.

Refolved, That all Protections and written Certificates, under the hand of any Member of this House, be void, and called in according to law; and that menial servants be protected only, according to law; and that this Order be printed and published."

Sir Thomas Lee ] This case, complained of, is only a particular instance of a Member; therefore you are to proceed upon it, when the Member that offends has made his desence in his place, and judge it. Then you may make a general Order as to Protections.

Sir Robert Sawyer.] Col. Wanklyn figned a Protection, which is filed in the Exchequer, directed "To all Mayors, Bailiffs, Sheriffs, &c." in as high a style as a Proclama-Vol. V.

tion, neither to ftir hand nor foot, and threatening what

penalty would enfue for breaking his Privilege.

Mr Waller.] One example against an offender of this nature has done more than all your talk and Orders. In King James's time, it was proved, that one made these Protections and sold them, and he was turned out of the House for it. This was done when Parliaments were short; much more ought it to be severely punished now Parliaments are long. The Romans had a Justitium that stood still for a time, but now for Justice to stand still seventeen or eighteen years, is not a thing to be suffered; and I would have Col. Wanklyn answer this giving Protections.

fpeaks of, 'tis concerning Dry Hill in Kent. We had a verdict for it, and judgment; and by a writ of possession, we were legally put into it, and we ought not to be disseized. In the Exchequer there was a Bill of discovery; the Bill was answered, and, upon a tryal, we had legal possession, and I will satisfy the Committee of Privileges farther in it, if you please to refer it to

them.

Sir Robert Sawyer.] Wanklyn was never in the cause,

nor heard of in it, before the writ of possession.

Col. Wanklyn.] Jones has a good title to Dry Hill; he has had a verdict. In time of war, Jones was my quarter-master, and went often to make his claim, but, because he was of the King's party, in these times, could not have his legal course, for his right. I have a concern in it of 300 l. which I lent Jones, and he has given these lands in security for it; and I am concerned for supporting the title, and have been so all along.

Mr Williams.] The writ of possession was awarded to Jones, for Dry Hill in Kent. Jones was the Lessor, and the seigned Lessee delivered the possession to the Sheriss, and possession was taken accordingly. He alleged, that the Writ with the possession, was unduly obtained; thereupon the Lord Chief Justice awarded the party to be put out of possession, and restitution to be made. Complaint

was made of the Under-Sheriff for not doing it, and it appeared that he durst not do it, because there was a Protection from your Member, Wanklyn, to Jones. Wanklyn himself was in Court, and, upon a motion that there being Privilege in the case, proceedings might stop, the feigned person, Jones, assigns his Title over to Wanklyn three or four days within Term. The Court was fo far fatisfied of the abuse, that the Court did order the Under-Sheriff, at his peril, to fatisfy the Court of the Execution of the Writ by Saturday; but the Writ was not executed. The Protection Wanklyn gave Jones was read in Court, and it was directed, " To all Officers, &c." in very positive words, "not to dare to difturb the possession, because of Privilege." The Court was abundantly fatisfied, but out of respect to Privilege of Parliament, they gave farther time for the execution of the Writ; and this day, under colour of this Protection, a motion was made in Court; and I advised Wanklyn to withdraw his Protection. I would have right done in this matter for your honour.

Mr Sacheverell.] Whether the Title was transferred to Wanklyn before the Controversy, and before the Writ of Restitution was granted, is the Question; and I would have Wanklyn asked, whether he was present in Court, when the rule of Court was given? I would

have him asked that Question by the Speaker.

Sir Charles Harbord.] Ask him, when the Conveyance

was made, and upon what confideration?

Col. Wanklyn.] Jones was legally in possession of the estate before I granted him my Protection. [He withdrew.]

Mr Hale.] This suit of Jones has been always reputed a vexatious suit, and no man that knows Jones will trust him for any thing; he is not worth a groat, nor has been for these twenty years. Such a man as Wanklyn, that is guilty of what has been made appear to you, is not sit to keep us company; and I humbly move that he may be turned out of the House.

Sir Charles Wheeler.] That which concerns us to confider is, whether a Member be legally in possession of

an estate, and [whether] his debt upon it be a legal and true debt, and the estate fairly transferred to him; and whether he would defend himself in his possession by Privilege. We have Privilege because we cannot attend two services, the law, and here. Let Wanklyn fairly prove the debt, from Jones, and that the estate was transferred to him, in consideration of that debt, and then you may judge the matter.

Sir Thomas Clarges.] The case is for granting a Protection to support a litigious title; thereby laying the honour of the House at stake, for his private advantage. As for the Protection of Cottington, a man of 1000 l. a year, to keep him as a menial servant! And that Protection to Jones, so high-penned a Protection! You must remove the scandal from the House, and not suffer him to sit here.

Mr Secretary Williamson.] The Question is about turning out this Member. I hope the thing will be well weighed, before you turn him out. There is the honour of the House in the case, and the compassion of those that suffer. But I would go by such steps, as may confift with justice. It has been faid, it matters not what the title is-If he had given maintenance to a litigious title, or had affumed an interest where he has none, then I abominate it. But all order, rule, and practice of granting Protections has been overlooked in the House; and this man is an unfortunate man, that he must fall for two errors. There may be many looked into, and in case that be the meaning of your Order for turning men out of the House, I know not where it will stop. There is a great difference in punishment between a mulct on the purse, and hanging; and feeing you will not go through with the bufiness, where you find it, pray consider well of this man's cafe.

Sir Courtney Poole.] This Gentleman has been a gallant man, but now he is in poverty. I would make him an example, but no farther than asking the pardon of the House upon his knees. But as for turning

him

him out of the House, I know not where that will end.

Mr Sacheverell.] To buy a title, pendente lite, is highly criminal in law. The getting this very Writ of Possession was a bad practice, and I hope this House will never protect such a man in what he has done, and I would have him turned out of the House.

Mr Finch. Tis not the Protection of menial fervants, which we call Paper Protections; that is the particular Privilege of every Member. This is a great offence of Wanklyn's, if he made use of his Privilege, as is faid, pendente lite. But Wanklyn had not the title, till he saw Jones in possession. I would not condemn Wanklyn before we know the case thoroughly. I would refer it to the Committee. I fear it will be as foul as 'tis represented. The ancient custom was, that a Member came into the Court of Chancery, and, upon oath, declared the person to be his menial servant, and it was there recorded, but no Paper Protections were anciently. The thing itself is cruel, and the length of this Parliament aggravates it. It is not proper to expell your Member, unless you do the same justice to all in the same case with him. It may be the case of ten, twenty, or thirty Members, and some of your worthiest Members. I would have a Vote posted up, to show your dislike of these Protections; and then, if any Member transgress it, let him be expelled the House; and I shall readily give my confent to it.

Mr Secretary Coventry.] The Gentleman that spoke last desires you would not proceed to expell Col. Wanklyn till you have made a public Declaration, how far you will punish Members that give Protections, as this Gentleman has done. In the case of one of your Members, Mr John Ashburnham\*, you made no Declaration that you would punish him, &c. Your Journal said only, "That he had dishonoured the House." There was no law against his taking that bribe of 500 l. from the Merchants, about solliciting the King concerning the French

French wines. He was a worthy Gentleman, and yet you expelled him the House. He was no Judge, and you judged that taking a bribe. For the Honour of the House, either do justice upon Col. Wanklyn, or expunge that sentence against Mr Ashburnham out of the

Journal, if you pardon this.

Mr Sollicitor Winnington.] I am unwilling to stand up, because I know something of this matter. Finch fays, "he hopes you will not proceed against Wanklyn, till you know what the offence is." I hope no man here will do what Col. Wanklyn has confessed. You asked Wanklyn, " whether Mr Cettington was his menial fervant?" He answered you, "That Cottington had an ill fentence in the Court of Delegates, and he did protect him from it; but that he did afterwards revoke it." What he has done is a great scandal tipon the House; and Wanklyn's confession of it makes me take it for truth. Finch tells you, "it may fall out to be the case of many worthy Members." But I cannot call them fo. If any are guilty of fuch crimes, I am forry they should represent here, to bind me and my posterity in the weighty affairs of the Kingdom. If the matter charged upon Wanklyn were questionable, or doubtful, it were another thing; but the matter is fo plain, that it admits no dispute. The measure lies only in the mercy of this House to the Gentleman; and, in that, I would go as high as any man.

Mr Waller.] Mr Ashburnham's case was hard, and very dangerous. I have seen twenty Members, in a morning, put out of the House. Some have disputed that power in the House. Some say, "This Gentleman, Col. Wanklyn, has been a soldier, and a commander, and therefore perhaps the lawyers are against him." I would, for the suture, go by some Order about Protections, as has been mentioned. The Gentleman has been in employment for the King, and for this offence

I would reprove him at the Bar only.

Mr May.] I discoursed with Col. Wanklyn about these Protections, and told him, I wondered he would protect

a servant that he never had. I told him, I feared his doom would be to be turned out of the House, and 'tis my opinion he should be turned out of the House.

The Question proposed was, That Col. Wanklyn has dishonoured the House, in granting Protections [to Mr Cottington, and Mr Jones, not his menial servants.]

Mr Garroways] I would not have you make more points upon what you do. Judge it in particulars, but do not affign it in the Question.

Mr Powle.] I would not have expulsions out of the House too large. I would have the Question "contrary

to justice, and the honour of the House."

Sir Richard Temple.] I will be no advocate for the person, nor his case. But I would have the thing done, as your predecessors have done; never without particular cause assigned upon your books. If you make the case general, 'twill never be a justification to you to posterity. To protect a Gentleman of 2000 l. a year, for a man's menial servant, is an extraordinary thing. That servant rather kept his master than the master him. I would go as high in this censure as any man, but would be uniform in it. If any Member has protected any person that is not his servant, he deserves your censure, but not so highly as in this case. I would have the case such as you may measure your justice by to posterity.

Sir Charles Harbord.] This offence is not only contrary to an Order of the House, but to the ancient Order, Constitution, and Justice of the House. That sentence you passed upon Mr Ashburnham, was for taking 500 l. of the Merchants, for service he had done them to the King, in a matter depending in this House. For this Gentleman's punishment, I would give it him only in a reproof at the Bar; and hereafter the House may take the matter of such Protections, as he has granted, into consideration. But for the first offender of this nature, I am utterly against having him expelled the

House.

Sir Thomas Dolman.] I would have this Gentleman that has offended fent prisoner to the Tower, and that you make a standing Order, for the future, against offences of this nature.

Resolved, That granting Paper Protections to persons not menial servants of Members of this House, is against the justice and honour of the House.

Refolved, That Col. Wanklyn is guilty of granting Paper Protections, against the justice and honour of this House.

Mr Secretary Williamson. This is but altogether to make a judicial fentence against the man, and this is a judicial cutting off a man from us; and therefore let us do all that may be, for clearing the justice of the House in particular; and that the nature of the crime may appear, I would have fones and Cottington, and some of the persons he has protected, named in the Vote. It is the first time that ever a capital Judgment was applied to that fact, that had not a precedent in law for it. Therefore in order to make it a just and honourable fentence, you must say that every dishonour of the House should be punished with expulflon, which is a cutting off your Member from us. Therefore I would not do it, in this case, without naming the persons, and "that Col. Wanklyn, for granting Protections to Cottington and Jones, not being his menial fervants, hath violated the justice and honour of the House." Thus I would have your Vote.

Refolved, That Col. Wanklyn, for granting such Protections, shall be expelled the House.

Mr Secretary Coventry.] You have faid, in your former Order, about Protections, "That they are against law." This is a greater offence done by this Gentleman than that of Mr Ashburnham's taking 500 l.

Mr Secretary Williamson.] It was faid, "If you begin not with this Gentleman, you will never begin." Therefore I would go on with punishing other offenders of this nature; but, as this case is put, I cannot give my consent to expell him.

Col.

Col. Birch.] I hear the case of this Gentleman diffinguished from other cases, and I have heard that of protecting menial servants disputed. As the Question is penned in your paper, nothing appears on your paper, "that he has protected persons not his menial servants according to law;" but only expressed "menial servants." But I would not have this House, in their zeal to punish this Gentleman, make such a slip as never to be recalled. I would have it referred to a Committee.

The three Votes passed. [On the last the House divided, 140 to 109.]

The Speaker informed the House, that Col. Wanklyn ought to receive his Sentence on his Knees.

Col. Titus.] When pardons are read in Courts of Justice, the pardoned persons hear them read on their Knees. But no man, condemned to be hanged, receives his Sentence on his Knees. The sentence ought to be received standing. I have given my Vote against the Gentleman, because I could not give it for him.

Sir Thomas Littleton.] Wanklyn is none of you now; he is cut off from you, and therefore 'tis not proper to bring him on his Knees to receive his Sentence.

Col. Wanklyn was brought to the Bar, the Mace by him, to receive his Sentence of expulsion, standing.

The Speaker.] Col. Wanklyn, I am commanded by the House to pass Sentence upon you, for the dishonour you have done the House in granting Protections. Your Sentence is hard, and my task harder, who am to pronounce it. If you had taken my advice in private, you had not come to this disgrace in public. The House thinks it a great blemish to them, that Protections should be granted to persons who are not their menial servants, and you are in a great measure guilty of that crime. Mr Cottington has brought the greatest missortune upon you imaginable, to be the occasion of your being cut off from this glorious body. I am commanded to tell you, that you are expelled the House

for what you have done, and the House has done you a favour that you receive not your Sentence on your Knees.

Col. Wanklyn, after the Sentence was passed upon him, was conveyed to the door by the Serjeant with his Mace. He received his Sentence and went away weeping.

Mr Papillon.] Acquainted the House, that there is now in the River Thames a ship loaden with Powder going for France. On enquiry, I find for certain that her name is the Lucy, George Martin, Master. I move the thing now, because, if enquired into in time, she may be stopped at Margate. She has eleven hundred weight of Powder, and some lead, which is entered at the Customhouse, as for Guernsey, but is bound for St Maloes. Mr Alderman Aley can acquaint you fully of it\*.

Sir William Covenity. This ship's loading being Merchandize, and going away as Merchandize, I know not how she can be stopped. This Motion is made now at three o'Clock, and we are to go to the King with the Address presently; and I will not be responsible that the thing will make no Debate, therefore I desire you would not enter into the Debate now. But I defire leave that we may do it to-morrow morning. No man can answer, when so many men are capable of judging, whether this Motion will come to a Debate, or not. And I would not have this apprehended fo great a matter as that the Address should stop, and not go forward, by the interruption it may give us in waiting upon the King. Therefore that we may be doing fomething, I move that against Monday, we may see what a charge of a regiment of foot will come to in the King's pay, and what ships of several rates will come to with their men, and I defire we may fend to the Exchequer to be informed.

Which was ordered accordingly.

[Adjourned to Monday.]

<sup>\*</sup> This is not mentioned in the Journal.

## Monday, Feb. 4.

A Bill from the Lords to prevent clandestine and incestuous Marriages, [was read the second times]

## Debate.

Mr Sacheverell.] By the Statute of Bigamy, the Tryal was at Common Law. A fuit about clandestine Marriage may depend in the Ecclesiastica! Courts three or four years, and scarce be decided in that time; and people live in fin so long. I would have the Tryal of clandestine Marriages be at Common Law, and I believe that will do the business.

Serjeant Seys.] The Pope dispenses with Marriages, lawful and unlawful. The 32 H. VIII. regulates Marriages of the Levitical Degrees; and if any man be questioned about a Marriage in the Ecclesiastical Courts, he shall have his Prohibition. If he brings a Prohibition, the person shall have a day given him, and perhaps may be tried at the next Assizes. I would not have Prohition taken away, as this Bill imports.

Sir Eliab Harvey.] If you think fit to commit the Bill, I would have a Clause in it, for the more speedy determining Causes depending in the Ecclesiastical Courts, as directions to the Committee.

Mr Powle.] Whatsoever Bill comes hither to shake any fundamental matter in the Law is usually thrown out by this House. In time of Popery, there was always a contest between the Temporal and Ecclesiastical Jurisdiction; and if you take off Prohibitions, God knows how Ecclesiastical Courts will enlarge themselves. I wish the degrees may be preserved in Marriages, but such a Bill as takes away Prohibitions I would throw out.

Sir George Downing.] I would retain this Bill to prevent incessures Marriages; for the Marriage of Uncles and Nieces is not provided for by the 32 H. VIII. but the rest of the degrees are; and there has been a difference

difference of opinion in Westminster Hall about it. 1

would have the Bill committed.

Sir Thomas Lee.] What will the Lords fay, when the main fcope of the Bill is to take away Prohibitions, and you will leave that out? How can you justify your-felves in returning the Lords their Bill, the main fcope of the Bill left out, and you agree to every thing else in the Bill, which is provided for already in other laws? 'Tis below your honour and dignity to pass the Bill, and leave out the Prohibitions; else you do it, and not do it. I am not fond of Prohibitions, but I would throw out the Bill.

The Bill was rejected.

[Mr Secretary Coventry delivered] the King's Answer to the last Address, which was read by the Speaker, [and is as follows.]

CHARLES R.

"His Majesty hath received and perused the late Address of this House, and thereunto returneth this Answer:"

"He is not a little furprized to find fo much inferted there

of what should not be, and so little of what should."

"In the first place, his Majesty's Speech was to both Houses jointly; and, the matter being of so public a concern, it is certainly very convenient the return to that Speech should be made jointly. For to receive several Addresses, and possibly very different, cannot but administer matter of distraction to his Counsels, and consequently to the affairs of the Nation. Nor is the House of Peers reasonably to be left out in transacting those

things which at last must needs pass by them."

"In the next place, he observes in the Address of this House of the 20th of May last, you invite his Majesty to "a league offensive and defensive with Holland, against the growth and power of the French King, and for the preservation of the Spanish Netherlands;" and, upon his declaration of such Alliances, you assure his Majesty of "such speedy Assistances and Supplies, as may fully and plentifully answer the occasions." His Majesty hath made accordingly the Alliances offensive and defensive with Holland, and declared it to you in Parliament; so his part is performed. But, as to that of this House for Supplies, though he asked it in his Speech, you give no answer, nor the least hint of affording him any thing to support the Treaties he hath made. Only the old promises are put to new conditions; and so

he may be used to eternity, should he seem satisfied with such

proceedings."

"You are not to think that either his Majesty, or the States General, being to embark in so great a design, would deprive themselves of the other so considerable Alliances. Some Ministers of the most concerned Princes have known and approved his Treaty with the States General; and, that he hath not formally \* concluded one with them, the reason is, that the distance of the places the Princes concerned reside in would not give time to persect so many Treaties, to be ratissed in places so remote; and, laying well the soundation in Holland, there could not be much doubt of their consent, for whose interest that Treaty is made. But nothing can delay, or indeed disappoint these Treaties, more than the failing of this House to support these his Majesty hath made. He must acquit his credit there, and see his word shall be maintained, before he can engage it elsewhere a fresh."

"In his Majesty's Answer to the Address of this House of the 20th of May, he told you how highly he was offended at that great invasion of his Prerogative: But you take no notice of it, but, on the contrary, add to your former ill conduct; new invasions, equally offensive to his Majesty's Authority, as contrary to his, and, he thinks, most other mens judgments."

"This House desires his Majesty to oblige his Confederates never to consent to a Peace, but upon condition the Most Christian King be reduced to the *Pyrenean* Treaty at least. A determination sitting only for God Almighty! For none can tell what will be sitting conditions for a Peace, but he that can

certainly foretell the events of the War."

"You advise his Majesty to enjoin not only his Allies, but all the World, not to let a ship of theirs go to, or come from France, upon pain of loss of goods, capture of ships and men, not excepting either Ally, Prince, or Ambaffador, (if amongst them:) He doth not believe that ever any affembly of men gave fo great and public a provocation to the whole world, without either having provided, or fo much as confidered how to provide, one ship, one regiment, or one penny towards justifying it, (at least as far as you have acquainted him.) However, to show how willing his Majesty is to give all reasonable satisfaction to this House, how unreasonable soever the Propositions made him are, he doth again repeat to you what he faid on the 28th past, "That if, by your Affistance, he may be put into arms sufficient for such a work, his Majesty will not be weary of them till Christendom be restored to such a Peace, as it shall not be in the power of any Prince alone to diffurb."

"This is, in the consequence of it, as much as a Prince that values his word can say to you: And he is such a one. But to say he will make no other Peace, than such a particular Peace, whether able or not able, whether abandoned by his Allies or not, is not to be said upon solemn engagement, because not

certainly to be performed."

War and Peace is in his Majesty; and if you think he will depart from any part of that right, you are mistaken. The reins of Government are in his hands; and he hath the same resolution and concern to preserve them there, as he hath to preserve his own person; and he keeps both for his people's protection, and safety; and will employ them so as far as he can. If this House encourage his Majesty to go farther in Alliances, by supplying him in maintaining those he hath made, his care and utmost endeavour will be employed for you. If this House doth intend this, it must be speedy. The time and conjuncture afford not leisure to consult long; and therefore his Majesty desireth that, without farther loss of time, you apply yourselves to the consideration of that Supply; for from thence he must take his measures."

## [Debate.]

Sir Henry Capel.] I hope no body can think it is my intention to delay the confideration of that great affair before us. I owe so much respect to a Paper of that consequence, which you have read, as to lose no time to consider it; and therefore I would well deliberate on a replication to the Paper. The great affair will wholly depend upon your Answer, and I would adjourn it till to-morrow morning nine o'Clock.

Mr Secretary Coventry. The King has showed you, in his Answer to your Address, his distaissaction in pressing upon what belongs to him. He omits no care at all for the Public, for all that, and endeavours to give you satisfaction; he tells you, "he hath made Alliances, offensive and defensive, with Holland." But the less had been said here the better; it might have been sive or six days ago—The King immediately commanded the Lord Treasurer to send to the Ambassadors—But 'tis in vain to make new Treasies, when we are put back to old ones. "If the King has arms sufficient,"

fufficient," he tells you in his Answer, " he will not be weary of them till he has restored Christendom to such a Peace, &c." No body but God Almighty can tell the event of the War. Would not the affront you received at Chatham, in firing your ships, have augmented, if, after that, you had voted never to lay down your arms. till you had revenged yourselves? And yet now you would make Peace, and have the Pyrenean Treaty calculated purely between the French and the Spaniards, and no part of Europe else concerned in it; no, not Holland. When the King of Spain, or any of that league comes into a War, the King is a party in the Treaty of Aix la Chapelle, and by that you are not obliged to the Pyrenean Treaty-Now the King finds France go on to conquer Flanders. The case stands thus; here is great advantage to the Confederates by your fitting; we hear of nothing done, though great preparations have been made by the French in Alface and in Flanders, and the Confederates are in a low and fad condition; but by the addition of the King's strength, they may hold up their heads, unless this Treaty with Holland be ruined by you; and then you will quickly hear very fatal news in the consequence. Allow that the project sent to France should be accepted, and that those conditions are not fo great as you would have had, yet you will have the guarantee of the Confederates-That Peace the King of France has by the King of England: not that England makes that Peace, but that he confents to it. If the King agrees not to it, of consequence the King of England is left alone. If the King be not helped, can he make it alone? If the King be left out, what kind of Peace the King of France will give you alone, I leave you to think. I defire you to have affurance, that what the King can do, he will do. If his arms are weak, he can do nothing. If it were lawful for me to show you letters that I can produce, all the House would be of my mind. One chearful Vote will end all this.

Lord Obrien.] In that Address to his Majesty (in May) we pointed at "Alliances with the States General, and other Alliances, and for support of them his Majesty might rest assured, we would assist him." These Alliances, he tells you, he has made, the consequence whereof is War; and have you not brought him into a War? When Monarchies insult and conquer, the subjects may have conditions, but the Monarchs never. Therefore, without delay, I would go into a Committee of the whole House, to consider of a Supply for the

King to support these Alliances

Sir Thomas Lee.] The last Motion does not consist with the Order of the House, for that must be upon a Motion for Supply precedent in the House. Else you never consider it at a Grand Committee first. To break Order does not consist with the business you are upon. I am not so well instructed in the King's Paper, as those honourable persons who brought it to you. It is a long one, and of great weight; and to take a right step in it is of great weight. Therefore I would have to-morrow to consider of it. No man but desires to reduce himself to any condition of living to suppress the growing greatness of the French. If I conceived that 'tis really a War we are about, yet I would see and consider it. One day will be of no great moment, when fourteen days have already slipped us in Adjournment.

Sir Thomas Clarges.] The King's Message is large, and consists of many parts. There are many expressions in it that grieve me. If we have given just offence to his Majesty, in our Address, and former precedents, instruct us, and we ought to be forry. Whatever we do, it becomes us, in duty, to give the King satisfaction, and be ashamed, and ask his pardon and forgiveness. Preparatory to that, I would have the King's Paper considered to-morrow. I am of the same mind I was of in the former Addresses; but I am not satisfied that the Alliances mentioned are made according to our former Addresses. Formerly, upon our Addresses, we have had satisfaction, and have given Supply thereupon. In

the

all former Alliances there was a quota expressed for Lorrain, Spain, Holland, &c. This forty thousand men and ninety ships, in the King's Speech, is a doubt to me, what quota Holland must come up to, Formerly we faw all before us-And when we know what our parts are to bear, in this Confederacy, or whether we are to bear the whole burden of the War, then 'tis time to talk of aids to support the War. We addressed the King in May last, for the preservation of the Netherlands to enter into Alliances, and fince that time the greatest part has been taken; St Omers, and Cambray, the key of all the rest, for ought I know. I would adjourn the Debate till to-morrow.

Lord Gorges. The House is not a proper judge of those quotas, Clarges speaks of, and therefore that dis-

course is out of the way.

Mr Mallet.] I speak to Orders. Several Gentlemen have spoken for the time of adjourning the consideration of the King's Paper. But I would be loth we should break off now with ill language. One false step made by this Parliament in this great affair, and England is loft for ever. What is done in it, I would have done with true light and good understanding, and I am for the Confideration of it to-morrow.

The Speaker.] Mallet calls to Orders, and concludes

with a Motion which is very irregular.

Col. Birch. I have such a difficulty upon my spirits, as I never had fince I was born. As the Union of the House, in our last Address, gave me great rejoicing, so dividing of opinion, in this matter, makes me tremble. A right understanding amongst ourselves will prevent the greatness of the King of France, above all things. I agree that Order may be broken upon great emergencies—We never broke it but once, for money. But we are not now in a Committee for money; but that we may be informed all alike—Some Gentlemen may know how things are; I do not; and I believe 'tis known to them that are so earnest to go on now, and not take to-morrow to confider. We were all of a mind, VOL. V.

the other day, in the Address, and I wonder it is not so now. Surely 'tis for some great reason, and I would know what reason. Whatsoever we resolve of, I would not have a negative.

Sir Hen. Capel.] I beg leave to retract my Motion of deferring this matter wholly; till to-morrow. I would have the House now go nto a Grand Committee.

Chuse a Chairman, and proceed to-morrow.

Sir George Downing.] I have feen fadder days here than Birch speaks of, which he knows as well as I; but let that pass. I hope there will be no cause of divifion amongst us, and that, in what we do, we shall have no negative. I faw the other day the meaning was good . to engage the Kingdom in the Pyrenean Treaty-But that Treaty was never brought to the Table. I faw the meaning was good, and therefore I faid nothing. The thing is wholly mistaken; the King's Speech is en-After you have voted Supply, the rest is gradual, and you may go by steps. Consider, is France to be dallied with? Threaten him, and not dare to strike him? We may be stricken before we are ready to strike. The King has told you, "he has made a League offensive and defensive with Hol:and for defence of Flanders" Has the King told it you, and now you demur whether to go into a Grand Committee, or no, to consider his Message? When I consider what has been called, "the grievances of French Counsels amongst us," they are departed, fince the time the Prince of Orange, a Proteftant Prince, was married to the heir of the Crown; and now we demur in going into a Grand Committee. I move we may.

Mr Powle. If I could be satisfied that we are wholly departed from French Counsels, I would not be backward to go into a Grand Committee, to consider his Majesty's Message. But these four years, Addresses have been made to prevent the growing greatness of the French, and the Ministers declare against him, and yet France grows great under these Counsels. I fear some inclination is still amongst the Ministers to France,

and

and they have brought us to the brink of ruin. And we may lay all confiderations aside, if we suffer this; ever by urgent necessity to be driven from Religion and Property. The Apple of Contention in the King's Meffage is as if the House had no interest to concern themselves in War and Peace. If we look not to the interest of this House, 'tis in vain to think of any thing abroad. The King may make War and Peace, and the House may advise War and Peace; and this might have been done sooner, if you, Mr Speaker, had not leaped out of the Chair, and would not fuffer Gentlemen to speak, but adjourned the House. I can show precedents out of my small store, that the constant practice of the House has been otherwise. Now we are told, "that here is a League offensive and defensive made with Holland, for preservation of Flanders." And Money is called for to maintain that Treaty, and we know not one word of it. Must we be kept thus in the dark! When an Aid was defired in Parliament for supporting the Triple Alliance, Mr Secretary Morris opened every particular of it to the House. In the last War with the Dutch, the King offered to show us all the League with France. We are told in the King's Paper, "He has communicated this Treaty to several of his Allies, and they approved it;" and why must we only be kept in the dark, who are called upon for money to support it? We have not brought Christendom into this danger; therefore we should not be alone to bring it out. I would see this Treaty, and then will support it as far as any man. would adjourn the House now, that in the mean time the honourable persons who may know our desires, may come better instructed to inform us farther.

Mr Secretary Williamson.] It is moved, "That the Debate be adjourned to see how things stand, as to the Alliances his Majesty hath entered into." And not to enter into the matter, unless the House go into a Grand Committee. But because something has been spoken, as to the Kings Ministers, I will answer. I will say, I know not the Alliances, Allies, nor the quota. For the

Terms we are upon, as much has been faid as is fit to tell you. The King has spoken it out. 'Tis a League with Holland, offensive and defensive, and that is spoken out; and after this is known, I take War to be declared, and that our neighbour, the French King, is at liberty, by the law of God and man, to take advantage upon us, when the King has fo faid to his people. Those Alliances are made, that you asked for, and which the Nation longed for, and groaned for, and 'tis a cause for the French King to enter into War with us, and to seize our Merchants. Let God and the world judge now, should this thing rest here, where the fault lies. This is, in fum, to answer all intermediate doubts of what Alliances are produced by the King; and there is a great difference between what you ask of the King to do, and what the King does of himself. The Thanks of this House did not go to the Alliances the King told you he had entered into, and that is a great arrear of Thanks. I move that the House will go now into a Grand Committee.

Mr Secretary Coventry.] I find it infifted upon, that we should see the Treaty. I ask this only, why is not this Treaty published in Holland, as well as here? Showing it, or not showing it, depends upon the nature of the Treaty. Showing the Treaty is when the King pleases, but its not always to be showed upon demand. If forty precedents of showing Treaties in this House, be better than five hundred precedents to the contrary, I leave it to you. If the condition be of part of a Treaty to be published at the Parliament of Paris, or here, it must be by both parties so agreed. There may be things in the Treaty not fit to be communicated to

five hundred men.

Mr Jones.] I am forry we are compared to the Parliament of Paris, or the States of Holland. I am but raw in the matter of the King's Message, and would fully consider of it. If there be reason for it, I should supply the King to support the Alliances, but I doubt surprize in it, it is so hastily moved for. I am for to-morrow to consider of it.

Sir William Coventry.] I will not enter into the merit of the matter. I will only speak to the adjourning it till to-morrow; and then, when it comes before me, I'll make the best of a bad matter. I would then deliberately consider the King's Speech, in the matter of the Supply, &c. and I fear that unity will not be to-morrow, which we may have to day in putting it off. But I despair not of it to-morrow.

Lord Cavendish.] The honourable person at the Bar put it to you, "That this Treaty was not sit to be communicated to sive hundred." But I think it very sit to be communicated to sive hundred that must give Supply to maintain it. By the great delays of Counsels, wherein we are kept in a dark mist, I cannot but suspect that, if we blindly give Supply, without knowing for what, it will be too late to consider any thing. All agree we owe so much respect to the King as to consider of his Message, besides the importance of the thing. Therefore I would have to-morrow for it.

Mr Sollicitor Winnington.] I rejoice at the unanimity of the House, in preventing the growing greatness of the French King, that he may not destroy us. I obferve that the present Question is about the time of consideration, not of the Supply itself: To delay it till tomorrow will feem fome diffatisfaction to the King-I find still we are unanimous for Supply, to suppress the greatness of the French King. Delay will look as if there were not full fatisfaction in every man, in the King's Speech. The nature of the Alliances is not (indeed) fet out by the King. Peace and War, 'twas never doubted, was the authority of the Crown to determine. But all instruments of Treaties of that nature, in the Crown Office, show that the King makes Peace and War for the people's good, add Parliaments are to give affiftance to the King's good intention. Though Kings refolved it, yet Parliaments voided it. Question is now, whether you have light enough into Alliances to do what you have promifed the King in your Addresses; now the King has told you, plainly,

with Holland, &c." For farther particulars, I would not stop for a day or an hour. I have seen public Articles about Trade and Commerce; but to show particulars, about a Treaty gives great advantage to the King of France. It is particular enough to me, if it be to save something Let us not have the imputation of

going one step backwards.

Sir Tho. Littleton.] I hope that by to-morrow leave may be given to the honourable persons of the Council of this House, to reveal the Treaty in more particulars, and I hope the House may concur in the King's desire. The main thing that sticks with me without more ado, is the end of this Treaty. That which I desire to know is not such particulars, as where the French are to be attacked, but the end whereunto this Treaty drives. For sour or sive Towns to be given up in Flanders, and by it to dissolve the whole Consederacy, I would be satisfied in that. 'Tis possible that may be to consirm the greatness of the King, of France, instead of weakening him. To this end, I would see whether these things may be communicated to us to-morrow.

Mr Secretary Coventry.] The King has made a League offensive and defensive, &c. according to your desires. All other Countries concerned are contented with seeing it, by their Plenipotentiaries without their Parliament, and why should we be alone? And they defire it should

be put in execution.

Sir Tho. Meres.] If this Treaty, that the honourable persons, the King's Ministers, tell us of, be so good and desired by the Confederates, and we may not see it, it may be good for them, and not for us. However, if we must be urged, upon our words, to stand by his Majesty in these Alliances, pray let it be upon our own terms, for we never promised the supporting them, but upon our own terms; and let us see whether the Treaty be good for us. I have read the King's answer to our last Address, I see nothing new in it. I thought we should have seen Alliances—And should we turn now

of another mind, we shall show the great vanities of our Counsels. The project of this Treaty, I hear, is for giving up fix or seven Towns of the Spaniards. It may be good for Holland, it may not be good for England. It may be good for Spain; it may be to get three or four Towns in Catalonia. If we had more light, I would argue better; but as it is, we can fay but the fame thing over again. We faid, in our Address to the King, "No, unless Alliances were imparted to us." Else we must stick upon hearsay, of what the Alliances are, till they be imparted to us, and we better informed. I would willingly hear a new thing faid. It is past over in silence that we have a right to the defence of England. Though I would not move an angry point, yet I must say, that 'tis the call of our Writ: by it, you are " to confult of fuch arduous and difficult affairs as shall fall before you." You have a right then to discourse it, and you have a right to pay for it. We have always spoke for it. There is not a step we have made but is all wrong, if we have not a right to the defence of the Nation. Our Ancestors have protested to their right of this. Your Privileges are, never the less, for burning the Journals of this House; your right is good. Confider your right of defence, and the end of it, &c .- The Pyrenean Treaty, that is fo put home upon us, is but an equivalent; we defire this Treaty should be as safe for Christendom, as that Treaty was. What shall we be the better for Tournay, to be given to the Spaniards, to have more exchange of lan', ext year in Catalonia, till all Flanders, perhaps, xchanged away at last? Supply is demanded, and by the Order of the House, we are not to go the same day into a Grand Committee to confider of it. I would have the Order read in that matter.

Mr Secretary Coventry reads the Address of May 25, &c.— "That your Majesty may rest consident and assured, that when your Majesty shall be pleased to declare such Alliances in Parliament, &c. we will most chearfully give your Majesty from time to time such

speedy Supplies and Affistances as may fully and plens

tifully answer the occasions."

Sir Thomas Lee.] Let us see the Address in its whole coherence; that part of it which Coventry reads, has reference to some other part of the Address. Therefore

I would have the whole read.

Mr Finch. When we are told that the King has given us a bone of diffension, in his Message, 'tis no wonder if we have one here in the House, and are told of " French Councils." The King has married his Niece to the Prince of Orange—I would know what those steps are so spoken of, "fill towards French Councils," that occasion these diffensions amongst us. I would let the world know the reason why we apprehend French Councils. If we have fuffered damage by the Ministers delay in concluding these Alliances, we ought not to increase jealousies, by letting it be longer in their hands, but dispatch it. A sharp Sword must do now what a Cudgel might have done formerly; and, by the fame reason, it will cost more hereafter, if we delay it now. We have been told by some Gentlemen that they would fee the particulars of these Treaties. To that it has been answered, how inconsistent would that be in so great an affembly! There was a time, (and I hope there will never be fuch another) when the King and Lords were put out of the Government, and the Commons only retained. Yet they thought not themselves fit to manage affairs of State; but made a Council of State for that purpose. I would not abase the Prerogative in this great affair, now so useful to our safety as well as the King's honour. But 'tis faid, "That other Princes know these Treaties, and we must not." To that I answer, they are a supreme power, and we are not. We are told likewife, "That there are many precedents that the King has anciently advised with his Parliament, in Treaties." But we need not ancient precedents for that; the King has communicated his to you now; and now that our neighbour's house is on fire, and tis coming to our own, a Punctilio of Order of our House House may stop the affairs of all Christendom. There is no force in Christendom able to withstand the French. The hazard of the War is great, and the expence is as certain. We are unsit to partake the Prerogative with the King, though he may please in his grace and favour sometimes to descend to us. Do you expect the thanks of the Country for delay? Their rage, rather, and the discontent of Christendom; and I hope, the Order of the House will never obstruct this great affair.

Mr Sacheverell. I know not what answer to give, &c. but I know what mind the Country are of. They will not be pleased if we thrust a sum of money blindly into those hands that have so ill managed affairs. 'Tis but to strengthen the hands of those who have ill managed things for the interest of the Nation. They, by virtue of their places, mey reconcile themselves to the King. which I cannot, being a private person; but I must, in public, ask those Gentlemen, when the House has branded them for doing wrong, when ever the House has fat down tamely under it? The fame influence from these men has branded the Parliament, to make it odious. As to the King's Prerogative, we have done it wrong in nothing, and fuch as perfuade the King that we have done fo, deserve not to have the management of this great affair. How should those Counsellors see this now, that have gone feven years another way? Four years together the Parliament addressed Henry VII. about the loss of Britany. They gave a Supply for it, and they trufted the Ministers, and as long as they gave nothing was done, and when Britany was loft, much about the 2d of December, just at that time, the King, Council, and Chancellor, all moved the Parliament for a Supply, or all was loft. In Edward IVth's time, he defired to make his Will, for he would go over to fuccour Burgundy\*. And he went over when all was loft. The great men about the King had pensions then from the King of France, on record in the Parliament of Paris.

<sup>\*</sup> Phil. Comines. Lib. VI. cap. 2.

for life, all but the Lord Haftings, Lord Chamberlain, who would give no acquittance for it. (This of Edward IV. was an untoward case.) When Henry VII. was first moved by the Duke of Britany for affistance, the King of France fent to him to fit still. His Council advised him to mediate a Peace, and they mediated fo long till all the Dukedom of Britany was gone-12 Edward IV. The Ministers pursued this practice. A War, and an Alliance was made with the Duke of Burgundy, in all haste, and, when that was done, the Ministers found it a fine game to receive pensions from the French, and raise money at home, and always were in hafte, and they must have money from the Parliament for this War to fave Burgundy from the French; but all Burgundy was lost by it. What end can our Ministers now have in not showing us these articles, but their being confcious to themselves who made the French Alliance, that they are faulty? The very fame steps are taken now as were then, in all things, but taking penfions. The King's Prerogative of making Peace and War, is always allowed, as I will vouch, when there is an entire compliance between the King and Parliament. and no division, as in 6 Edward III. The King called a Parliament for a particular end, to consider of the French affairs; they met on Monday, and adjourned to Thursday, without taking any intimation from the King. They advised him to consider of the affairs of Scotland and Ireland, though they were not at all recommended to them. The Commons advised by themselves, and the Bishops and Lords by themselves, and it was called a new advice." The Commons defired Prorogation, because all their Members were not come up-They met, and the Commons gave by themselves, and the Lords by themselves \*. I can never pass by that—Nor

The King had an Aid granted rageous prices, or fuch like, &c." him of one 10th and one 15th, "So See at large Cotton's Records, out grieving his Subjects with out.

ever will give a penny of money till the Treaties are

produced.

Sir John Ernly. Misfortunes of a later date did arise. more lately, by a difference between the Lords and Commons. I have heard to day fuch language of "French Councils, and French money," as I never heard before. Where any fuch are to be found, let them be he hanged, and the money melted, and put down their throats. The King has done in the Alliance more than you afk, and has given the best security in nature. He has chosen the best Alliances, and 'tis at your door to have them supported. Can it be thought you can have help, if this Alliance be not embraced? Shall Spain, or the Confederates help you? Are you told of this War, and will you not enter into it? This War will not keep cold. The French may feize your money now in their Kingdom, and your Leeward Islands. Is your House on fire, and will you not quench it, but run to enquire who made it, by thus exclaiming against Privy Counfellors? Go into a Grand Committee to confider of supporting these Alliances, the best course you can take.

Mr Secretary Coventry.] If you will allow these discourses, there is the same freedom for me, as for Sacheverell. 'Tis "evil Counsel," I am sure, to defer aiding the King to supply these Alliances, and 'tis as desperate Counsel as France can give. If there be any Traytor in the King's Councils, let him be found out. Let not a thing be eternally + \* \* \* \* as this will be the consequence. Therefore I protest against it.

Mr Sacheverell.] I defire to explain myfelf. The diftance of the place from me to those Gentlemen, that have taken exception at what I said, might make me misapprehended. They apprehended, "that I seemed to charge the present Council with taking French money." I said, "there are all the steps now taken as in the precedent I mentioned, except taking Pensions."

Sir Edward Baynton.] Did I think that putting off the confideration of the King's Message till to-morrow

would retard the main business, I should not be for it. To be unanimous, is more than in the Time of to day, or to-morrow. Presently to go into the great business! I doubt much that we are in the dark, as much as when we came out of the Country. I am so still. Formerly, upon great occasions, when Aids were demanded, we went down to consult our country, and had nothing but a day's time to consider the matter; that we must leap into money, from managing our Country affairs. Whip a Vote for two Millions in the Dutch War, for ships, and we never have been strong at sea since; such temptation that money gave to be prosuse. Pray let the consideration be to-morrow, &c.

[The Question for resolving into a Grand Committee, to confider of his Majesty's Supply, was carried, 193 to 151.]

## In a Grand Committee.

Mr Sacheverell.] I desire to know thus much; whether the King makes this Alliance, because the French will not accept the Mediation. If so, I scorn both the Alliance and the money. The other thing I would know is, if this Alliance be for suppressing the growing power of the French King?

Mr Secretary Coventry.] Such an Alliance is made, as the States General do agree to; and the Spaniard is

very well pleased with it.

Mr Garroway.] They may be both fo, and yet the Alliance may not be good for England. I would know therefore fomething farther.

Sir Edward Dering reported from the Committee, that they defire leave to fit again to-morrow, at ten of the Clock, to confider of a Supply "to support the Alliances his Majesty hath entered into †."

Agreed to by the House.

† In the Journal it is, " for support of his present Alliances."

## Tuesday, February 5.

[The Clerk of the Peace for the County of Middlefex, according to the Order of the House (See p. 47.) delivered in the Conviction of Sir Solomon Swale for Popish Recusancy; and a Petition of Sir Solomon Swale being tendered, he was ordered to attend the House, on the 19th †. Journal of the Day].

In a Grand Committee. [On the Supply.]

Sir Thomas Littleton.] 'Tis the first time an Aid has been called for "to support Alliances, &c." when the Treaty is so shut up from us. Should we not apply ourselves to the King for some farther light in this matter, that we may satisfy ourselves, and do our duty, too, to his Majesty? There seems to be a necessity to do so, we have been so unanimous in the last Address for it. Therefore I move that you would appoint a Committee to search for precedents, that we may do nothing which may misbecome us in this business.

Mr Secretary Coventry.] Why should we demand farther what is already told us? You desire a Treaty and Alliances, and the King has told you he has performed that Treaty. You are only now to consider the charge the King must be at for the performance of it.

Mr Pepys.] I hope I am prepared to inform you of those measures requisite, as to the number of ships the King has named, which are ninety. The rates are these.

Mr Mallet.] Interrupts him to Order, and would have

the King's Speech read.

Mr Sacheverell.] I am one of those that are of opinion that there needs no Supply, because 'tis only for the preservation of Flanders. I would not give money for that barely; and I would know whether the Alliances be worth any thing, before we consider whether we shall give Supply, or no.

Sir Thomas Clarges.] You must consider things according to Order, as the House has directed the Debate "to support Alliances." If they be one fort of Alliances we must give more, if another fort less. This of ninety ships is more than will sustain all the War, if it were upon us alone; we have 800,000 l. a year from the Customs granted towards the ordinary charge of the sleet, and we have sifty ships already, and we must compare our strength to give with our duty.

Mr Garroway.] I thought what is moved was the fense of the House. 'Tis yet no new matter, we are still in the dark, and I will not give my consent to I know not what. I hope Gentlemen have better considered. We have no measures to go by, and for ought

I fee, there is yet nothing worth a Supply.

Sir John Ernly.] The King has told you "he has made an Alliance with Halland, (according as you defired it) for the preservation of the Netherlands." I am forry that when the King has made Alliances accordingly, men say they will rather give money against it. Col. Morgan sends word he expects to be attacked at Jersey by the French, and desires Horse and Foot for his recruit.

Mr Garroway.] Now we have got farther than "Flanders." Ernly tells you, the League is for "the Netherlands." If you come to confider of a Supply you are told, "if there be a War"—But if certainly a War, I would come presently to it; and if it be Peace, then there is nothing to know but the charge of that—And to express our duty in the Expence of the War. When this is made clear, I am as ready as any to give; but till then I am of the same mind I was of before.

Sir Thomas Lee.] I would have us all reminded of our words, and I would have the Address of May last read, to see what performance has been made of that, to

ground our Debate upon.

Mr Powle.] I am of the same opinion with Lee. We will not fail on our parts in the least particular, but I would see upon what terms we have promised to aid the King, and I desire the Address may be read, &c.

Mr Secretary Williamson.] It has been moved to make the Question, "whether the King shall have a Supply to support the Alliances, &c." I am persuaded, that he that spoke most against it will not give his negative to it, when the Question shall be put. God give the Success to it all that honest hearts wish! and pray

put that Question.

Col. Birch ] Those Gentlemen that desire to be better informed of the Alliances, have not had the advantage of Gentlemen who belong to the Court, to know these things. When we are better informed of them, I would freely give. If you set down your business upon such grounds, as that those scruples may be removed, indeed we shall do strangely. It is prayed, and 'tis most natural, that our Address may be read. 'Tis told us, "Did you not promise the King to support him, in these Alliances, and will you not perform it?" These are high charges—If this Aid seems forced, 'twill not be carried on with that greatness this great thing ought to be carried on. Pray read our Address, and that paragraph in the King's Speech relating to that Address.

Sir Henry Capel.] I would have no negative in this matter. 'Tis fo reasonable a motion, as never was denied, for us to see our promises to the King. You are a great body and must go by steps, and I move that the Addres-

fes may be read.

Sir John Ernly.] If you will read the Addresses, rather for reply than supply, I am against reading them. I move that the Question may be now put, whether you will grant the King a Supply for supporting the Alliances he has entered into. Pray stick to your Order, and let that Question be put.

Mr Secretary Coventry.] Now we debate concerning reading our Addresses, and the King's Answer to them. If it be for no other reason but to show you are obliged by

it, and where not, I am not against it.

The Speaker.] I am one of those who think time is too precious to be spent by debating. If any thing arises

arises out of the Debate that may refer to the Address, seeing it pressed, I desire it may be read.

The Address and Answer were read.

Sir Thomas Littleton.] The principal thing I observe is, that this refers to other Treaties, and imparting them in Parliament, and thereby explains our meaning; which is, War with the French King, joining with Holland, keeping up the Triple League, reducing things to the Pyrenean Treaty, &c. which is a declaration to us of all particulars relating to it, bating secrets not to be revealed. If there be modern examples that do justify imparting Leagues, in Parliament, &c. why can they not be imparted now?

Mr Secretary Coventry.] If it be dangerous for you to omit doing what you have formerly done, so it is for the King to do what he has never done before, to endanger his Prerogative, as he tells you in his Speech.

Mr Sacheverell.] Coventry has made his observation, and I'll make mine. If you cannot find that in the King's Speech, I hope he'll tell me where it is. If there be no Alliances by virtue of those Addresses, 'tis no wonder that we enquire after them. We are told, "They are for the preservation of the Netherlands." Flanders is but a single province—I would have showed me any clause in the League "for preservation of the Netherlands, and against the growth and power of the French King."

Mr Secretary Coventry.] Flanders is but a province, but where one calls the Duke of Villa Hermosa "Governor of the Netherlands," five hundred call him "Governor of Flanders." This is as if we should do any thing for preservation of England, and leave out Berwick upon Tweed. As far as I can judge, the King shows you that it is for preservation of the Netherlands—For

the Treaty of Aix la Chapelle 300,000 l.

Mr Garroway.] I shall answer one part of Coventry's discourse. If there was Peace to-morrow, what will be the consequence? Will this do it? When the Con-

fede-

federation ceases, is there any thing to keep [the King of] France from falling upon us with his army? He is grown the common Enemy of the World—And I would have Coventry show us what provision is made for our fafety. What has been said, I think not satisfactory; and I desire to know something farther.

Mr Secretary Coventry | Every body is left with men after a War, and it is not to be helped. There must be time to dispose of them. But if you have no such Alliance, and the King is mistaken in his Parliament, and they stand not by him, you are alone then; and then 130 sail of ships, and the French army, may put you in a fright.

Mr Garroway.] Spain may like the conditions you have made fo ill, that he may leave you and Holland alone to bear the brunt. If provision of so much a month be according to the nature of the Treaty, or a sum in gross, then the Treaty must inform you of your method for the Aid.

Mr Powle,] If the officers of the King and the Government did always look after the fafety of the nation, before it be known to the generality of the people, the danger would be nipped in the bud; but if forborne, and not foreseen, and the people call out for Alliances, and none are made, &c. I would have precedents shown whenever the people gave money before such Alliances were produced.

Lord Cavendish.] I hear nothing objected against showing us these Alliances, but the word "Prerogative." I am forry that word is so abused, as to be thrown into our Debate, to hinder any thing for the safety and honour of the nation. "Prerogative" protects us, but those abuse it, who speak of it, without telling us how 'tis our safety. I am for it, as it is by law, but not for "Prerogative" to be swayed by ill Councils. I am not for the Ministers having money to employ it, either for a short War, or no War. Let us be showed that a War is intended in earnest. I am forry I cannot suf-Vol. V.

pect the contrary. Till that be plain, I cannot give money. Till it be showed us, I cannot give a penny.

Sir Robert Howard. I know that Kings have communicated Treaties to their Parliaments ('twas done in Henry V.'s glorious reign) and Parliaments have refused to meddle with them. Precedents abound on all fides. The King fays, "'Tis now a War, and leagues offensive and defensive are made with Holland." If a traveller has loft his way, or be led out of his way, will he never refolve to stir more? Will he sit down here, and perish? You may easily imagine the consequence of that. Tis impossible to fatisfy the nation, if we defer doing fomething, because all is not showed us that is done. Here is but one argument left, "This money may be ill used, and not applied to the use you intend it." Suppose a sum be given, and employed as ill as mankind can imagine—And should a Peace be made less than you defire, and the thing paffed with all the trust and expectation of a Parliament, the prudence of the House may be so in appropriating it to the use you intend it, that you may not be deceived, and you will find fatisfaction in fo much already performed, as to double the fum-The Hollanders else will see they are forsaken, and will make Peace, as ill as can be imagined by man for us, and fo we [shall be] put upon extremities. Let the quantum be appropriated, and there is no danger.

Sir Tho. Meres.] 'Tis not according to usage of Parliament to grant Supply before Alliances are declared in Parliament. 'Twas not intended by our Address, to have them signified in general terms; this is plain by all the discourse at that time. 'Twas then said, "That Holland made significantly the seventh part of the whole Treaty;" but I will not take any single man's word for it. The project we are upon is a Peace as good as that of Aix la Chapelle. The King says, "He has made an Alliance with the States of the United Provinces." But, in matter of sact, is the Peace so good as that of Aix la Chapelle? We must be governed by the opinion of the House, and not by the saying of one man. "For-

ward"

ward" in our Address is "imparting such Alliances, &c." which means more than barely telling us fuch a one. By "imparting," we must see it. "This Alliance is for our good (it has been faid) or not." Let us fee it, whether it be so good as that of Aix la Chapelle-And that is against another Vote of the House directly-That of the Pyrenean Treaty will do us good, and less than that will do us none. This Treaty, now on foot, is much less than the Pyrenean Treaty, and has not the House declared that that will do you no good? Either the House did not understand what they addressed for, or you now go against the understanding of the House. I would therefore have a Question to this purpose, "That the House be moved to desire the King to impart the Alliances to us that he has entered into." And if we go the way now propounded, we may make England unanimous; if not, mankind cannot be led hoodwinked with a napkin—And if we are over numbered in the Vote, that number will not go away with the Vote, which fatisfied the whole nation. I think this project of the Peace we hear of, is not so good as that of Aix la Chapelle; and I would fee a reason to make it good here. I demand the Question of going to the King for farther light, and of right I ought to ask it.

Mr Secretary Coventry.] Let the Gentleman that spoke last, make it appear how bad the Treaty is, How can

he do it? He knows it not.

Sir Thomas Meres.] If any thing more of this Treaty be to be feen, I would have it produced. Till I fee new matter, more than the French giving up a few towns, as talked of, I must be of the same mind. You all agreed to the Address, nemine contradicente; and think now, whether this is consonant to the wisdom of this House, to carry men on, after an unanimous Vote, to we know not what. That project of the giving up a few towns to the Spaniards was consuted, when you made the Address to the King, out of reason and prudence. Show us some new thing in this Treaty, and

then out-reason us as far as we did out-reason the project

of the Treaty, by the Address.

Mr Williams. If you proceed without farther light into Treaties, in doing this you establish the Prerogative by the Commons of England. The Question is, how far our Addresses have been pursued. We would not be driven into money, but by fair day-light. We defire to be fatisfied in this matter of the league offensive and defensive, &c. I wish the Gentlemen that know, would declare whether really we shall have a War, or no, categorically; and then you may declare your mind. For my part, I cannot believe this to be a War. The repeated Counsels we have given, are the fafe Counfels of the nation. The King, in his Speech, is of the fame opinion with us, and still here are the fame Counfels continued about him. Are we the great Council of England? Have we advised lowering of France, and a War with him? And have preparations been made purfuant thereunto? And now, when we defire to fee what is done, we are answered; "you must not see nor hear the Treaties, nor what is done." That is, we have eyes, and ears, and we must not use them. No doubt but we have been in some Confederacy, and have been mediators. In reason we ought, and may have, satisfaction in these things, and till that be done, I am not for Supply. My jealoufy is, that showing the Treaty here will be only for our money; and my fear is, that by giving our money we shall have arbitrary power set up. By comparing things with things, in this very time, I fear it. For when we made these Addresses, we had no effectual answer. In the manner of Adjournment of the House, never was a thing more arbitrary. The King, in his Speech, tells us, "That we may adjourn our felves," and one Gentleman (the Speaker) will not fuffer us-And if we fuffer it to be fo, it will go about the Kingdom, that 'tis the first House of Commons that ever suffered it-And then 'twill fall upon the people. You were of opinion that you ought to have fatisfaction in the ends of these leagues. By Law of Parliament, this Paper Paper we are debating is not a Meffage, 'tis but a Writing from the King; and fuch Writings are not obligatory, and perfuading; they are not binding—And God forbid they should! If a Meffage should sway us merely by being a meffage, the King (by that consequence) must bear the blame of all the Council that advises him to it. In short, whensoever Kings have called for Supply to support Treaties, they have always communicated those Treaties. "The Prerogative to be imposed upon in showing them" is not the punctilio, but the fear of showing them. If that be established upon us, I fear that more than the money. I would plainly know, whether it must be War, or Peace. Till then,

I can give no vote for money.

Mr Sollicitor Winnington. This matter we are debating upon is of the highest concernment that ever came here. All of us join hearts and hands together to suppress the growth of the French King; and we differ about mediums. There is jealoufy of the Alliances, that they are not for that end; not being known by us, nor fignified in Parliament, &c. Williams has given you reasons for his jealousy, and asks, "What has been done fince the House met?" And expands his hands, and fays nothing at all. But I can tell you what [has been done;] as great an action as can be done; the marriage of the Prince of Orange to the Lady Mary-And there has been as speedy a progress in building ships and of fitting out the navy, as the shortness of the time would permit. I would have no man's passion transported here, but let us be unanimous. Williams tells you of "arbitrary Power." - Does he mean France? Can any man believe that the King will comply with those Counsels that would fet up France, to make the King of England as little as one of us? 'Tis plain in the King's Speech, that his Adversary is France, and that he would balance Europe. Is it rational to believe that there will be fuch a War, or Alliances, as will make our King small and France great? All our Addresses are, when Alliances are declared in . G 3 6 V 008 \* ParliaParliament, and now the King fignifies, "That he has made a league offensive and defensive with the States General". If particulars should be told here, it would not be long before it be in the Councils of France. Therefore particulars are dangerous to be told here. Such as Privilege is for this House, the same is for the Prerogative, and I would have those Gentlemen show you by Precedents (which are never to be found) that, when the King has shown Treaties to the House, in the generals, the House ever called for particulars. I never found that it was contended that we ought to know all particulars, when the King has showed us generals. If we contend for part, the whole may be loft. Therefore I propose this, with all submission, that we are disputing mediums, and reason tells you 'tis for the common fafety what the King has done, and yet it tends to the fame end you defired. I hope you will believe the King.

Mr Pepys. ] Has the Treasurer and the Lords of the Admiralty slept all this time, and done nothing? (As Williams seems to suggest.) The Lords of the Admiralty are industrious, and with fuch fruits as England never faw yet. [Time was] when there was a noise that the ships were rotten like rats. We are in another condition now. If this House [had been] full of Gold then to have given towards the Navy, 'twas not in your Power to have done any thing. 'Twas not Col. Birch's "Cudgel" that he told you of \*, would have done it then-But now the King has made great advance. Some of your ships (that you gave money for at your last meeting) are ready, and will be floating this fummer. Ninety fail of ships may be floating this summer, by your concurrence for Supply, and God's bleffing. But I hear "the fears of arbitrary Government" urged as a jealousy, and that the Gentleman is afraid of; but who does most to fet up arbitrary Government? They that depress what ways may most keep out the danger from France, or they that promote them? The best expression

of the divinity \* of a Prince, is to take good Counsel; the King has taken it, and executed it, and it stays with you to enable the King to go through with it. The King has made an Alliance as great as with all the world besides. The King has done it, and with great success, and it remains with you to support him in it.

Sir Thomas Lee. I know not whether it be the effects of good Counsel to let so many great men this fummer go into the French fervice. 'Tis told you by Pepys, "that great things have been done in the Navy." But I think the Victualler of the Navy is asleep in our Country, for beef was never cheaper. How comes it to pass, that arbitrary Power must lie at the door of this House still, when we were adjourned to May, and this House might have met sooner, and prevented these delays? After the gift of some money several times, and when this 240,000 l. per mensem was given for ships, and now according to the words of the King's Speech, ninety ships for this War, &c. when that is given, and this Peace made that we hear of, if we must keep all these men in arms, that the King mentions, (40,000 men) to be as strong as the King of France with men and ships, this gives occasion of jealousy. If we are not obliged to keep them up in time of Peace, no man is more ready than myself to give money. This confirms my fears, that England is more in danger, that a force must be kept in England, than the danger from the French King, &c.

Mr Secretary Coventry.] Those "great men" spoken of "gone into France," are gone only to setch back their regiments out of France, according to the capitulation when they carried them thither. If you call that "arbitrary Power," for the King to take money when the Parliament gives it him, I know not what that means. Land forces must be kept up for recruiting the army as it diminishes in Flanders, or you are lost.

Sir Thomas Lee.] It was no wilful mistake of mine. I mean not that noble Lord, Lord Douglas (whose regiment is in France) who went over the other day; but

those that went over in the summer Campaign. The keeping up of an army after the Chatham business was apprehended to be a standing army, and you addressed for disbanding it. So we apprehend it may be now—These are my fears.

Mr Pepys.] I challenge any man alive, and his books to help him, to show me that in any fanuary there were ever more stores in the victualling house than now.

Sir George Downing.] Pray take not that Authority upon you, in the Committee, that the House has not given you. Where's your Authority? Who bid you meddle with the Speaker's adjourning the House, &c. and these things that have been discoursed of "Prero-

gative?"

Lord Cavendish takes him down to Orders of the House. Some Gentlemen think the scruples have been made about the Speaker's adjourning the House, and Prerogative, very reasonable scruples. When there is an aversion shown to resolve scruples, it makes our scruples the greater. As for this offensive and defensive League, that we are told of, we might as well have gone into a Committee at first as now, and now if we have no satisfaction given us in this League, we have as little reason to give money now as then. The proper Question is, whether there be a League offensive and defensive now made.

Sir George Downing.] I was taken down to Order, and I expected the Chair would have taken down Lord Cavendish to Order, for ending with a motion. When the House had referred it to a Committee to consider of Supply, 'twas never known that the Committee went back with a negative. Here is a jealousy as if the King had pawned the nation to the Hollanders, and a Treaty that England is bound to make it good. 'Tis a great thing insisted on not to show the Treaty—Let any man show what right the Commons have to demand a sight of it from the King. The Commons have been showed Treaties, and have advised the King upon them; but not at their demand, as a right from the Com-

Commons. If it be their right, I will give no money till that is done. Is it then convenient to be showed us? He that says 'tis convenient, must have seen the Treaty, and no man can say so. I must think it not convenient when the King does not show it us. The King is our life, and the breath of our nostrils. I can never expect unanimity in the nation, when the House of Commons are not unanimous, now when the prayers and tears of the nation are for it—But I will give money blindfold to the King on this occasion, wherein lies his trust, and we have not a right to demand a sight of these Treaties. Suppose the King should grant you a sight of them, and have all his Counsels discovered—I think the King has gone fairly and overtly with us—But will you give no money without the sine qua non,

fine qua non? (twice)

Sir Thomas Littleton. I did not expect from the Chairman that the Question should be altered that was first moved, and was the ground of the Debate. The natural Question, is, Whether we should do any thing in order to support this Treaty of a League offensive and defensive. A Question was asked by one, "Whether this League was for a War against the French King?" 'Twas answered, "That this League was a taking him by the beard." But the Gentleman faid not whom by the beard, not the French King. We hear a noise about a project of Peace, and therefore I would not lose a moment's time. This puts me in mind of the character of Bethlehem Gabor, an enemy to the House of Austria, who made a great deal of noise about him, but did him no hurt We make a great noise, and do the French little hurt, by this Treaty. The Question proposed is natural to the Debate, for 'twas moved, upon the Debate, that fomething might be previous for our fatisfaction, that a Committee might draw an Address, (I mean it tenderly) to the King, to give us farther light into this matter. For, whenever an Aid is defired for a foreign War, it may be more largely imparted to us; and I hope if we make fuch an Address, the King will

not answer us as we have been answered here—This is an instance which cannot be in all particulars—Idem per idem. As if, in a Bill of Popery, it be only enacted, "Popery shall be suppressed." I would have application made to the King, to acquaint him "that, in money demanded for support of Treaties, more particulars of the Treaty have been imparted than now are."

Mr Garroway.] Bate me grains of allowance, and I will offer you my thoughts. If you will put the Question of for a Supply for the King, for the charge he has been at towards making this Alliance, and by this earnest, to give his Majesty farther assistance, for support of it," that I offer, if you will not insist on the Question

to see the Treaties.

Mr Waller.] I see, as far as I understand, that this will be the Question, "Whether we shall give the King Supply, or no, to maintain the Treaty, &c." And 'tis not only my Vote that we should do it, but my reason. This No will be the fatallest that was ever given in Parliament. A No, here, would make the Alliances to no purpose. In our Address to the King we desire the Pyrenean Treaty, &c. and I wish it too, but 'tis more desirable than hopeful. No man of honour can ask a thing of a man, not in his power to do. I have ferved long in Parliament (fifty years,) and all these things are to follow the rule of the Government. 'Tis true that the persons in the light are not informed by those in the dark. So that it comes to that at last, whether we have reason to supply the King for these Treaties, or no. There was no War, at the time that we gave the King money for his fleet, and now the Alliance is defired, to know what that fleet was for. This went a great way with me. The King tells you, " he has made a match for his Niece with the Prince of Orange;" and fays the King, "I have entered into an Alliance before I know whether I shall have your help, or no, to support it." The King relies upon us before hand, and now in Peace and War we must rely upon the King-In all my reading I could never find, but but they that were superior at sea, make any conqueror weary of the War, in this part of the World. We were superior both to Spain and France, and made them weary of War with us. It is asked by some, "What shall be done with the money if we have no War?" (The rest the

Compiler could not bear.)

Mr Papillon.] The Question is, Whether we shall give the King Supply, without naming Alliances. the Prince of Orange take the power of Holland upon him, (I fuppose it only) shall we be obliged to maintain that Alliance? So that the doubt lies, whether we shall grant a Supply to maintain these Alliances; and some others would know the Alliances better. We have had a Peace hitherto to aggrandize the King of France, rather than to lessen him. 800,000 l. France gains upon us in Trade every year. The King has been the greatest friend to Trade that ever was, but his Ministers have not done their part, and France has made their War with our money; and now on a sudden, we must have War with France, and no stop of that inundation of money thither. I would know whether by this Peace, (we here talk of) that be stopped. If there be nothing in this Alliance to prevent this, or the greatness of France; if I am left thus in the dark, I cannot give my Vote in this case. I move therefore to address the King, to know "Whether these Alliances have been made pursuant to our Address."

Mr William Harbord.] A negative in this matter would be of fatal consequence; I think as fatal as an affirmative. If we give more than the nation can bear, I would confult my conscience first. Suppose we gave an affirmative that we will supply the King to support the Alliances he has entered into; and a great sum be demanded of us, and after that misemployed by the Ministers, and a Peace be made; will it not be the most fatal thing in the world for the King to lose the affections of his people, though he gain that of foreigners? Suppose the Article of the League shall be to secure a proportion of Flanders in the Spaniards hands, and it may be

the French will consent to it, will you send thirty thousand men to support such a League? I will suppose that 'tis the interest of mankind to keep this business dark, and of the Statesmen to make the better bargain for our interest. Suppose your quota so much, &c. To the end we may be unanimous and the Question penned so, I will never be against a Supply. But I will never trust a great sum of money in the Ministers hands, till the King has need of it.

Mr Sacheverell.] I would have the Gentleman put the Question, as it is penned. Then 'tis they that enforce us upon a Negative—Since that hardship is put upon us, to give money without seeing the Alliances, we must be put upon some other course; and must have the previous Question; and, therefore, I would be unwilling to give a Negative, that we may come entirely up

to the money, and give no Negative.

Col. Birch. Those that remove all doubts do most effectually towards the end you aim at, because they defire the means to attain that end. I cannot but much wonder, that, when no Gentleman has yet faid, he has more fatisfaction concerning the Alliances than he had fome days ago, we now should be so forward to give money to fupport them. As for Ships, Horse, Foot and Dragoons for a War with France, that is another thing; but for Alliances, I believe one is made, but when I hear nothing of it, but in the Amsterdam Gazette, I wonder at it! Is it an Alliance against any attack of France upon us? If any person of honour (foreign Ministers know it) will fay, "That this Alliance is against the growing power of the French King, if he shall attack the United Provinces," twill go a great way with me. I hope, before this business is over, we shall convince the world that our Father (the King) is angry with his children without cause. Foreign Ministers know this Treaty; and Downing tells us, " England is pawned for it." I would know how long " England has been pawned." If it be only for a general Peace, I am afraid of it. The reftoring of Towns is a great thing for the States of Holland, but not for us. If the League be offensive and

and defensive, against him that attacks each of us, or both of us, surely this may be easily told us, and I desire no more. If this be thus, 'twill be a great step to our unity, for if this be not one, it cannot be carried on. I would have the word "present" out of the Question, and would have it, "To support Alliances for suppressing the Growth and Power of the French King."

Mr Secretary Coventry.] Is this an ingenuous way of proceeding? You tell the King, if he will do those things in your Paper, you will aid him, &c. And he tells you, "they are done." Says one Gentleman, "This Treaty is to set the Prince of Orange up absolute in Holland." That is as remote as to say, "The King of France will deliver up his Kingdom to Spain to be absolute."

Mr Secretary Williamson.] The Treaty cannot be supposed to lessen the power of the French, if it be not offensive. Holland and England are to be common de-

fences to each other, when the Peace is made.

Sir Thomas Littleton.] The delivery of Towns is a fecurity for the Peace; but a few Towns will do little good. I would know how many Towns are to be delivered up by the French; and what this Treaty will be to that of Aix la Chapelle, that kept Burgundy to the Spaniards, and the vicinity of these Towns cut off from France, which that Treaty utterly cut off. The Treaty went hard with the Spaniard, but he did take it, because no body was in arms at that time for him. The Treaty of Aix la Chapelle was infinitely better than this Treaty, as much as we understand of it. I would then have the Question, "for supporting these Alliances, as far as they are consistent with our Address."

Sir Thomas Lee.] The main Question ought first to be stated to your content, and not till then. Must there be any substractions, or additions, when that is done,

their way?

Mr Boscawen.] The Addition is to the Question stated, which is orderly, viz. "In pursuance of Alliances;" and you ought to put the Question, whether that Addition shall be, or no.

The Speaker.] I believe Sacheverell has as little reason for this his accusation of the Ministers, &c. as he had for another (meaning bis Articles against the Speaker.

(See p. 5.) The rest the Compiler could not bear.)

Col. Birch.] I will endeavour to be one to make us all of a piece. It was faid, that the Alliances are not only for fuch a League, as that the French King shall not offend his neighbours; but that we should assist one another, and that this should be the handle to bring in all the Treaties, is not intended—Unless this be done, we cannot come to a clear understanding of the thing.

Mr Secretary Coventry.] I fear, when the Question is over with the Addition, we shall enter into a long

Debate, whether the Treaty be fo, or not.

The Speaker.] When you shall find that Additions are only for delay, you are not to put a particular Addition till you have determined the general Question.

Sir Thomas Meres.] If that practice be followed, you will destroy all methods of Parliament. You may as well put this Question, whether there shall be any more Debate. It is far from me to encourage any thing impertinent to breach of such a general Question—You will else destroy all method of Parliament. Therefore I would have the Addition put to the Question.

Mr Garroway.] 'Tis a strange thing, when a general Question shall be put, whether an Addition to a Question, it should be denied—There is an end of all De-

bates.

Mr Sacheverell.] If Alliances be general in the Question, it may be to Denmark, Sweden, and France too, if it be not distinguished; and so [we may] be engaged to support them in the way that your inclination is not to do.

Mr Secretary Coventry.] You went yesterday to the House to enlarge your Order, and 'twas done; and now you will enlarge it here, without recourse thither—Therefore I desire fair play.

Sir John Ernly.] These jealousies of Peace, I am sure, will make a danger of no War. Put the first Question, whether

whether we shall give the King Supply, or no, to support the Treaties, &c. Then, with all my heart, I am for an Addition of the words, &c.

Mr Secretary Williamson.] I fear this Addition moved for, if it be passed by the House, may induce that fatal thing of pressing to see the Alliances. Therefore I would not agree with the Committee.

Mr Powle.] If this Treaty appear not to be to suppress the growth of France, we cannot be willing to support it.

Resolved, That the House doth agree with the Committee, that a Supply be given to his Majesty for the Support of his present Alliances made with the States General of the United Provinces, for the preservation of the Spanish Netherlands, and lessening the power of France.

## Wednesday, February 6.

The Farmers of the Hearth-money attending without, according to an Order of the House, and being called in, the Speaker told them of a Complaint against them, of abuses in the collecting that duty; and they were ordered to leave their Patent with the Serjeant, and attend the House again on Friday next.

The Speaker desired the House to appoint a day to consider of the Adjournment of the House, complained of as before, and if he be not otherwise ordered by the House, he shall do the same thing again upon the next occasion, &c.

Mr Mallet.] You are very valiant, Mr Speaker, to invite the House to a consideration of your irregular Adjournment; which puts me in mind of a story of Cardinal Mazarine. In a disgrace he had at Court, a price was set upon his Head, to any man that would bring him in. He comes in of himself, and challenges the Sum. He was a prudent person, and we have had the effects of it to our cost.

Sir Edward Dering, being called to the Chair of the Grand Committee, excused it thus.] I desire to be excused from this Service, by reason of my unskilfulness in so great a matter, which requires a person of greater authority than I am of. Besides, I have an indisposition at present

present upon me, which renders me incapable of that tervice, and I humbly desire to be excused.

In a Grand Committee. Sir Edward Dering in the Chair.

Mr Sacheverell. I am far now from defiring to fee the Leagues we are entered into. I take it for granted, from the honourable persons, that they were made before the Alliances were fettled. But fince we have not feen the Alliances, and it is not thought fit that we should see them, we cannot take adequate measures to the proportions of Aid required from us. But to show that I have no defign, and am clear in that point, which I have always professed, which is my service to his Majesty, I would have fuch a Supply granted as may put the King in a condition, in case he go into a War, and then I believe there is no danger of showing us these things we have defired, which were not to be feen when there were uncertainties of Supply. Therefore I move that you would name a fum, in the Committee, to put the King into fuch a state.

Mr Garroway.] I never fear that the King will not let us know measures adequate for so great a work, as we are upon; and I embrace Sacheverell's Motion, to go by that way to agree a sum in the Committee.

Mr Secretary Williamson.] 'Tis necessary, before a man can knowingly name a sum, as is moved, to make the scale you will measure by of the force you will employ. Till that be known, no man can think of, much more name, a sum. Gentlemen say, "they would give to encourage the King to go into a War," and then they are in expectation of a discovery of those Alliances, and would know what the War is. Whatever is not known, this is; that they are Alliances according to your desires, as much as if you saw every word of the Treaty. Plainly the obligation of it is an offensive and defensive Treaty, and you must go into it with your whole strength. The Treaty, as to this point, shows no more, if you saw every word of it. As to the naval force, the King is to send to the West Indies, if they be attacked, Holland

not having the fame proportion of concern there as we. There is nothing afferted in the Treaty as to that; perhaps we may bear a fourth part with Holland. But in these Seas, and the Mediterranean, they come in equally with us, and for freeing the Northern Navigation we come equally in with them. In the Soundings, and in the mouth of the Western Ocean, forty sail are to be ready, and are to wait for Commissions to move as they shall be appointed. The Governor of Britany, the Duke of Chaulnes has a hundred Privateers ready, and these are the stations where the naval force is to be employed. The concert with Holland stands thus. And as for proportioning the Supply for this matter, you may do it just now for fix months hence farther. If you had every Letter or Paper I have, I can inform you no farther.

Mr Secretary Coventry. There is a country called Ireland. If that be feized upon by the French, and they fend a detachment thither, it will furnish them men, Therefore consider what your force must be to guard Ireland. So that you must consider this charge for ships,

as well as the Mediterranean and West Indies.

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Sir Thomas Lee. England has once paid 1,800,000 l. for a fleet, when no fleet was fet out. Therefore I move for a proportion for the fleet requisite; but not for it, till they are actually at sea; lest, by the temptation of fo much money, we have again no fleet at all. But if you will confider fuch a fum for the whole, that the King may actually enter into War, I am for it. But if we are to give now, as if it were a War already, and yet no War, I am not for giving money towards it.

Sir Thomas Clarges.] The honourable persons at the Bar adhered to 40,000 men, and ninety fail of ships, for this War, as if the War was already declared. This charge was maintained at nothing near fo great a rate, when both France and Holland were against us. had not then ninety capital ships, besides the ordinary charge. We are therefore to confider that now we have one powerful Ally, which we had not not then. If we

YOL. V. have have but eighty fail joined in the whole, we shall not hear a word from St Maloes, or Breft. The Dutch had not forty fail, fire thips and all, when they alarmed all France; and it took away that year from the King of France all the tax of the marine towns; which were three taxes, Salt, Land-tax, and the Imposts; and yet Holland possessed themselves of no places. But had Holland been able to have maintained that fleet upon the French coast for two or three years, France had been ruined by it. Twenty eight thousand five hundred pounds a month was the charge, when we had War with Holland and France, and we know what that comes to in a If there be a War, here are only two regiments raised, the Marine, and one out of Holland, and some regiments we have filled up. If it were a War, we have 8000 men coming out of France. It was well moved to confider what to provide for the prefent, and when we have actual War. We may meet again in winter, and pay off the ships.

Mr Secretary Coventry.] What will you allot for the Mediterranean Sea, Ireland, and the Indies? If these be not guarded, they will be lost. The Gentleman confiders not what that cost Holland, which he did upon France; and will not the loss of the Straits trade and Ireland be more loss than 'twill be a charge to defend, as has been proposed? Do not spare the people in a tax to damage the people greater in a loss. I would have it answered, where shipping has been offered to be placed where there needs no shipping for guards?

Mr Mallet.] If the Ministers will be clear with us, and their Master give them Commission to be so; and if the War be to suppress the power of France, Popery, and Idolatry, I would give such a sum as was never named in this House before. But that being not named, I advise moderate things for the present. I hope great good may come by the marriage of the Prince of Orange, and the King has been at a charge for it; but, for the present, I would have a moderate sum. I look upon the King of France as a Tyrant, and the Protector of Rome;

and I would know what banners we are to fight under; and till then I would give but a very moderate sum.

Sir Tho. Meres. Since 'tis not thought fit that we should fee the Alliances entered into, as I showed a readiness last night to wave the Question for seeing them, I now wave the Question for seeing them, though I could offer new reasons why we should see them—The words added to the Question last were not in the least intended to be inductive to fee the Alliances; but the honourable persons must pardon me, if I walk not so fast in the dark as in the light, when I believe it will be either no War or a short War, and then the less money. will ferve, if for the preservation of what remains of the Spanish Netherlands only. But if I saw Alliances to repell France from what he has already got of the Netherlands, then I would go a greater way to support the Alliances. These sums mentioned are very fair sums, to carry the thing on. They who are to pay the money, and not to receive it, are for giving lesser sums. I expect never to fee a penny of what we shall give again; and I would not hazard the naming of fums. Gentleman has hinted them. But I must go to this now; the War is declared for the preservation of the Spanish Netherlands, and to lessen the power of France. And I would give money "for that War;" and there is your definition. The words are "towards a War," not "for a War." There is your War for the Spanish Netherlands. But if I could add two or three words for a fum of money, I fear I shall displease both sides; and I have fo much wit as not to do that; and therefore I will fit down a while longer.

Sir Thomas Clarges.] When I speak of forty ships for us, and forty for Holland, my meaning is, besides our ordinary Guards at Sea; and will not the Customs supply eighty ships? Holland and we, thus joined, will shut up the ports of France, so that they can do hurt with their privateers no where else. 'Tis not the number of ships France has in her ports that can hurt us; they must be manned; and what trade have the French, but

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to the West Indies? Our bulky Coal-trade makes the Seamen. A hundred thousand pounds in Silks is in the bulk of one hundred ton of Salt; and that is setched from them; they carry it not. I value not their ships; without men to manage them, they are insignificant. We have our own guards, which are fifty ships; forty ships a piece; still supposing a War. But I am afraid that no War will be, nor is likely to be. But I will take what the honourable persons have said, "that there will be a War," and give something, but not fully till War be declared.

Mr Secretary Coventry.] If the King of France has fixty sail of ships in the Mediterranean, and as much more by his conduct, surely we shall not be guilty of so ill conduct, as to let ours lie idle. He had twenty eight Galleys in Marseilles thirty years ago, and now I believe they are doubled. In Brest they are now providing a hundred Coopers—And so he gave an account of the constant charge we must necessarily be at in the Mediterra-

nean, as before.

Mr Garroway.] 'Tis a great hardship put upon us, that still we know not one Article of the Treaty. (I mean not the fecret Articles) And yet we must be put upon supporting them, at so great a rate, as has been mentioned. And so he read the last Vote p. 95. How long will it be before we shall be doing that Vote? Before your ships will be at Sea, and your army ready? While the French go on still conquering, and there is an end of your Vote. But before the Spanish Netherlands be quite over-run by France, I hope we may have Peace. It may be nearer Peace than we think of; and it would be wisdom for us to make as good a bargain for our selves, as we can. But if we miss this opportunity, it will be too late for us to make preparation. The King is but reprieved. If we must set out ninety sail of capital ships, what will you do for feamen, for trade? The last Dutch War cost the nation 200,000 l. for want of seamen, in hiring freight from foreigners. Lubeck and Hamburgh drove all the carrying trade. Confider what great miscarriages . riages the Dutch have had by sea; and yet with twenty sail of their own, and a sew Spaniards, they are now able to look the French in the face in the Mediterranean. The French are not so formidable as they make themselves in their insolent way of privateering. Do but secure the Soundings, and you keep the French within their Ports; and I believe that twenty sive Dutch ships joined with ours may do the whole business. Therefore I move "That a sum of money may be given his Majesty for supporting the War for the preservation of the Spanish Neiberlands, and lessening the growth, &c. of France."

Mr Secretary Williamson.] For any man to name a sum to support the Alliances, before we know the whole scheme of the measures we are to take, will be to little purpose. Make a scale of the force, what that must be, and then you may come to particulars. In case we are not at sea, the French will certainly be at sea.

(The rest the Compiler could not bear for noise.)

Mr Sacheverell. I proposed this way first, and therefore I will give reasons for it. I did not imagine that any thing would have been offered more than what would maintain the fleet betwixt this and Michaelmas next, that we may fee whether the War be in good earnest, When money is once got, we may not have a Parliament ever after; as in that precedent of Henry VII. which I mentioned. Peace was then made betwixt the French and him; though in great haste for War, as we are now. One Article of that Peace was, " That it should be confirmed by our three estates." (I speak out of record still) Then they made their private Articles, "That a Parliament should not be called for three years;" and four years after the Peace was made, a Parliament was called, and the money they had formerly given was called " the money for the French War." If it be only for that purpose, let the Ministers speak. I say it to have mutual affurance of one another, that they are in good earnest as I am now. No man can say ninety sail of ships is requisite for this War, betwixt this and Michaelmas, neither can they be ready. They tell you of a winter and H 3

fummer guard. They must mean next year. This year is almost gone for preparation. All I desire is hope for security, that these gentlemen are in good

earnest, that we shall have a War.

Mr Secretary Coventry.] No man can tell what force of arms can do, but I assure you, I know nothing towards a Peace. The Duke of Monmouth's regiments are sent for out of France, and the King of France will not send them, till you declare War. If you make War for Flanders, &c. the King of France will for Ireland, and the ill condition and sears they are in there will appear in a Letter I have received from the Duke of Ormond, and your Island may be taken from you without this sleet of ships which the King has mentioned. As soon as the War is done, your money is done, and 'twill' be appropriated, &c. and I can say no more.

Mr Sacheverell.] The Gentleman has told you, "as foon as the War is done, the money is done, and what you give will be appropriated to the use of the War." In Edward IVth's and Henry VIIth's time, one sum of money was appropriated, and another was not; and they came both to the same end. The money raised was to be put in the next Castle, Town, or Monastery, to be kept safe. "And the Commissioners shall see that the overplus be applied as the King, Lords, and Commons shall appoint." I show you this, not to make any remora in this business, but when Ministers of State have a mind to break through an Act of Parliament, they will do it, as they have done in these precedents, in seven Acts together.

Mr Secretary Coventry.] If in Edward IVth's and Henry VIIth's time the money was left to be appropriated to the War, the Parliament, in those times, understood not appropriation so well as we did the last year, when we gave money for building ships, and appropriated it. It is in your power to make the appro-

priation as fure as you pleafe.

Mr Secretary Williamson.] I will speak to that point, of what sum is reasonable for this War. Be satisfied, first,

of the greatness and necessity of the force, and then the time you intend to employ that force. This will take away all the jealoufy of putting off Parliaments. Wherever that flies in my face, all must stop till that be removed. 'Tis unreasonable to think that the intervals of Parliament can continue longer than a reasonable time of holding Parliaments. The Confederates take their measures but for a year, and their Confederacy ceases at some time of the year; and 'tis not probable they should enlarge their time no longer than a year. New Counsels are to be taken at the beginning of winter, and, in this case, 'tis very reasonable not to go beyond that season of the year in our measures of preparations; and some time will be taken up in consideration of that Supply. Then I fay, that 'tis reasonable that some farther provision be made to maintain your forces for the time you are confidering, besides what you grant for the fummer's action, and we cannot go lower for that Calculation than Christmas. Therefore, in order to this, if you think that force by fea and land, which has been proposed, necessary, you must make this Calculation for them. Mr Pepys will give you an account in what condition the Navy stands, and how to make your strength.

Col. Birch. It was faid of King James, "That he fent into the Palatinate too many for Ambassadors, and too few for an Army." If this War be intended in good earnest, we must have another manner of force than now we talk of; 150,000 l. over and above the naval standing charge per mensem. If it be a War, I would have no time loft. A rational provision, if it be required, as Williamson states it, is a Debate of another nature. I have heard to day of "the danger of Ireland," if we enter into this War. But I hope 'tis not in fo great danger as represented. If we need physic I would not stay till to-morrow; I would think of it to day. If the best men of France must make War at so great a charge, and be compelled to do it, I hope we thall shortly bring them to a better understanding of themselves. As for H 4

our charge already, 'tis not greater than the ordinary charge. I am one of those that have been too bold for merly, and I shall be so bold still as to tell you that for our naval force, " ninety fail of ships in summer, and thirty fix in winter" was supposed—Such a force (duly paid) and in good places, would do our work, when we flood upon our own legs. Suppose the charge at a l. a head, and 10,000 men was the estimate. The Customs were then rated at 400,000 l. towards it, and the Excise 150,000 l. and this surplussage to maintain this charge. The Customs, in their ordinary receipt, maintain fifty capital ships. What do you want then? Forty more. Suppose they be all capital ships, for the whole feafon, they will cost so much, and I can tell the whole charge if I would. But whether they will man out ninety fail this fummer, let them tell you, and "40,000 foot"—I would not fully the business in the Debate, but I must say it looks not like a War-But how if France should do by us as we did by the Smyrna fleet? Though we came up to Parliament now but a trot, we should come a gallop then. Till I hear great reason, I see not why we should be at any farther charge. To fay nothing of the army, I would have the trained bands (good bodies of men they are) encamped, and with exercise made serviceable. The doubt whether War, or no War, may be at an end before this fum be spent. It may be a Peace; and then there is an end of the War, and the defence of the Kingdom; and then 'tis time for a Debate of this nature, and money may be provided for paying them off in September after. I know what paying the Navy and the Army is, and I cannot think we want stores of powder, because so much is sent away out of the Tower, and gone into France; and for victuals you are told there is fufficient. But I am utterly against banking in all this; for when the Navy comes in, in September, I would have them paid off to a ship; and if these Gentlemen can make it out that we shall have a War, 'twill lead you into another manner of Debate and MeaMeasure, than you have been at now; and let it be made out that this preparation is not fit to defend us. If I were to advise for the King of France, I would give as great a sum as is demanded, to weary out the people, so that they can do no more, when we shall real-

ly be in earnest.

Mr Powle. I know little of the affairs of the Navy, but, upon a prospect, most men may be judges of it. I defire to give towards it, and plentifully, but not fo as to fink and fail under the burden of it. I would not give such a sum of money as to give temptation to great men to take away Parliaments. I would give fuch a fum, as when expended, they may have farther recourse to Parliaments for Supply. We are in the dark, and; for ought I can find, we must be so. No. man can tell what necessity there is for a War, if the end of the War be not told you, and I hear of Peace, that we are near it. We are yet groping in the dark; and I would not yet get farther into the dark, for fear of running our heads against a post—To meet as we do now, and no time to think of it! If we should give money, and have a Peace, you will not need a Parliament in hafte. I remember 1,200,000 l. was given for the Dutch War, and a Peace was made thereupon, and in four years time, by reason of Prorogations, not one public Act passed; and this was but the result of that money which the War had left; and there will be an end of all Parliaments by giving at the rate fome Gentlemen propose. 'Tis said, "that you may appropriate this money to the use you intend it, with penalties upon the officers, &c. that shall issue it out to any other use." But 'tis to no purpose to make laws to hang thieves, if the Judges go no Circuits. No private man can judge the misdemeanors of Ministers of State; [they are] only to be arraigned in Parliament. And as to this Treaty we hear of, though the King of Spain is weak, yet can he do nothing towards the War? He has in the Mediterranean twenty ships, and this will take off some of your charge. You are told of "Letters out of Ireland of the danger of that place, and the great want of money there." Whether it be not diverted to other uses, I will not say. But the revenue comes to much more than the established charge of the Government there, and yet they say the Army is in arrear, and so are the civil Offices. And must England bear all the burden of Ireland? I would have the sum for the present entering into this War reduced to a moderate sum, and the Parliament may come every month to supply farther, as occasion shall require, and, if the money be so given, I will give it as chearfully as any man here.

Sir Thomas Meres.] I desire your excuse, if I make use of a French word, Campagne, to be better understood in an English Parliament. We are forced to send our children into France to learn that language, to be better understood here. Therefore I would know the charge

of this Campagne.

Mr Garroway. Let it be fooner or later, and with all the affiduity the Gentlemen of the Admiralty can, before our ships can be in any condition to be at sea, Flanders will be gone. I am for giving this money to be employed, as his Majesty shall think fit, for the present occasion of the War; but such a sum as the Parliament may come again, and fupply, as occasion requires. I cannot but observe that Articles are not safe to be showed us; but the knowledge of the charge for these ships, it seems, is. I will show you how to save Flanders, and I would fave English flesh too, which must be by encouraging the Allies to come quickly into the field. If Peace would purchase that, Ships cannot preserve Flanders. You can never do it, but by encouraging the Confederates. Dare you venture to prefent the King with a fum for this purpose, to encourage the Germans to come briskly into the field? If they are afraid of War, let them fay so; but I would be very unwilling to undergo that great vast charge for the Navy, that I hear spoken of. I would never see accounts, but give fuch a fum as they cannot cheat us of.

of, and that they must spend, and no more; and the

King wholly to dispose of it.

Mr Secretary Coventry.] All that is asked of you is in relation to a War. Secure it, that whilst you bring the German down, the French do not attempt your Islands, and Plantations, and Jamaica. That whilst you secure Flanders, France sall not upon you there, pray secure that.

Mr Pepys.] Ships of the following rates will all be ready by the latter end of May, viz. Four of the first rate. Five of the second rate. Sixteen of the third. Forty seven of the fourth. Twelve of the fifth. Six of the sixth. [In all ninety.] And the total of the charge

for so many ships per mensem will be 103,251 l.

Sir Thomas Lee.] I will put you in mind of what was before—When we paid the King's debts, and increased this revenue, War was undertaken by it alone, without Allies, and there was no need of money, we were told, and so no need of calling the Parliament to advise about it. But this affair is not done, as if we were in actual War, as we have been told—And perhaps a Peace may be entered into. I conceive there is no more danger in telling us the Treaty, than in the number of ships we are to support it with. When they are employed, then 'tis time to take care for paying them; till then 'tis time only to talk of money to raise them and sit them out to sea.

Mr Secretary Coventry.] This way of giving the King money, to maintain the War, is like a man that bids his fervant go a journey, and gives him five pounds to bear his charges, and bids him spend what he will, but

gives him no more money, &c.

Sir Thomas Littleton.] As to the danger of our Islands and Plantations, the same may be said for Holland, their Islands and Plantations. In this War the French matters upon them \*. But when the French are in Peace, we may fear them. Then is his time when he is at leisure with his ships and men. Therefore in this un-

dertaking, I would apply to the faving of Flanders, the most immediate thing in our Vote, and insist on that.

Mr Secretary Williamson.] I hear it said, "a sum of money to be given to induce the Germans to come down, &c. and so proportioned." I am not for money farther than there is an inevitable necessity for it. Though we are not in the Act of War, yet, whether you will or no, it is War in effect. Upon your promise to stand by it, there is the honour and reputation of the House to fland by the King as much as if actual Hostility. There is jealoufy in some that it will not be a War, and there is no way to cure that jealoufy. But if the money be as the King requires it, 'tis impossible but that there should be War (fuspected only as a man that wishes a thing as you do ) It must be speedily and plentiful, that you supply your obligation to the King, and peremptorily War cannot be without that; and then 'twill be entered into immediately. I will carry it fo far as an engagement upon the King to come into the War. What is proposed will not enable the King to do it. There must be provifions at least for a year; as has been proposed. No other way than going into the War upon credit-The King must have trust, and I hope we shall remove all doubts of distrust; and if there be no better issue, they that are in the Alliances will go out of them, if they have not the whole scheme of what you will do. and if only provision be made for the War betwixt this and May. The King would fcorn to show his Parliament, that he has employed the money you give him, otherwise than as you intended it.

Col. Birch.] As to the naval charge, I will fay nothing to that, but only to the fafety of the nation in general. Says Pepys, "do vou think all the ships will come home at once?" That is an argument to me then, that the less money, for the present, will pay them off at a time, and they may be sent for home when you will. If we could guard the sea with sifty ships in summer, and thirty sive in winter, when the Customs yielded not above 400,000 l. much more may the

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Customs bear it now, being almost double. For ninety sail of ships then so far is done at 4 l. per head. I hear there is a book now publickly sold abroad, that calls the French King "not a very good Christian." He is a brisk man, but not so brisk as he is said to be, if he suffers what is said in that book. A book that of the Baron Isola's writing, was forbidden to be sold, at the latter end of a Gazette. If any man can say, that this I have said of the ships is not to the matter, let him tell me what is.

Mr Pepys. If ships were so well paid off in the time Birch speaks of, how came ships to be four months in arrear, when the King came in? If Birch talks of four pounds a head, fo will I too. We fet not ships out now to ordinary errands. We fet them out to War, I believe, and hope. To them must be appendages, of ships of advice, tenders for wounded men, and other things attendant, as necessary as guns themselves. What I fay is not for money. I handle none of it. But what I fay is, that I will not betray you by my filence. would not come here, to have Brook-house Commissioners of Accounts to make enquiry, and to make attendance here, to answer their objections, &c. and, by all their enquiry, there was no fraud found in the accounts of the Navy to pay for their Wine and Biscuits, for the Commissioners will justify what I say to you.

Col. Birch.] You may and have had occasion to blame my understanding, but never my truth. If it be so, as Pepys says, of the ships, &c. I know he was not then in employment, nor in a considerable time after. What was, was four years before his time, of the four pounds a head; but he cannot give an instance of one ship that stayed for pay, when come in, one fortnight. (My defire was not to throw up dust, but I can learn it here.) I intend not to store ships with 700 men, when the Dutch have but 400 in a ship, as if we were cowards. When a shot comes through and through, it must hit some men, when so crowded, and discourage the rest: And I will prove, that, in those times, there was an

establishment of no more men, and it was then convenient. The provision I make for the ships is intended till Michaelmas, and when they come in, to discharge them. I paid off the Army, and the Navy, when they were disbanded at the King's coming in, and no man can say, but that he was paid off to a day. I could wish little sums had been so since; and when I shall come to the land forces, as I have done at sea, I will

make this as plain as that.

Sir Robert Howard.] Cæsar never judged his own condition, but by the opinion his enemies had of him. Of the King of France we may judge accordingly. Will you, by small preparations, make the King of France the judge whether there shall be a War, or no? Examine the King's revenue, and see his weakness. Preparations of War must be equivalent to that War. I am for the Parliament's meeting in September, to supply as occasion shall require. But the Question is now, what sum the King shall have for the present, that, when 'tis given, it may not be a Peace. If what has been said be not performed, 'tis a visible cheat.

Mr Swynfin.] Upon the uncertainty we are under, of Peace or War, we cannot give the Country an account of what we do. Giving the money "for his Majesty's occasions" is a hypothetical Vote. I would have such a moderate sum as shall be thought sit to support his Alliances. But if we give money with an "If," those Coun-

fels are more fatal than no ships at all.

Refolved, That ninety ships are necessary for the support of his Majesty's present Alliances, &c. Which was agreed to by the House, and the Committee was ordered to sit for consideration of Supply for these ships.

## Thursday, February 7.

In a Grand Committee. On the Supply.

Mr Pepys.] Gives an account (as before) that the total monthly charge of the before mentioned ships will be 103,251 l.

Sir Thomas Lee.] I desire that the House may be moved to refer the charge given in of the ships, by

Pepys, to a Committee to examine, that we may not take them upon the bare word of one man, and be still in the dark. If it be Peace, there will need the less money; and, if it be War, more; and that particular Committee may give you an account of what is necessary.

Sir Thomas Clarges.] I would have it confidered what part of the charge the Nation is to bear, with the Dutch; and then, if the King please to call us in May, or June, when it is Bellum flagrans, then we may give more.

Mr Secretary Coventry. If the thing is necessary to be, you must as necessarily consider the way it should But if Peace should be concluded, that is the jealoufy-I have it from the King, who certainly should know, and he fays nothing is more false, nor is there any confultation towards it.

Sir Thomas Meres. ] A great deal of this report I have heard, but possibly it may be like Falstaff's [men

in] Canvass, and Buckram.

Mr Pepys.] I never expected that you should take my fingle word, for any thing I have faid, and I will

fubject it to any Committee.

Mr Garroway.] In fuch a War as this, if we enter into it to suppress the greatness of France, 'tis reasonable that we should consider to reduce it to the least expence we can, it being (as we have been told) like to last long, and that we must ask the great man, the French King, how long that shall be. I would therefore have a Committee apart to confider of it.

The Master of the Ordnance, Sir Thomas Chichley, gave in his estimate of the Ordnance.

The Committee was ordered to consider of the charge of the feveral rates of the ships by the month.

## Friday, February 8.

Particulars were given in of the Charge of foot raising, &c. 240,000 %.

Sir Thomas Clarges.] I would willingly fee the quota of Horse and Foot, that we are to find, in this League. In an unhappy time, Cromwell minded more his own than the nation's advantage. Six thousand foot were then fent over, and they took eleven towns, fought a battle at Dunkirk, and the French struck not a stroke in it—Once auxiliaries were thought better—Why may not we fend money into Germany? Upon the Bishop of Munster's preparing 8000 men, France quitted several towns in Holland. We need not be at so vast an expence—In Ireland they have a Parliament of their own; they may raife money to fecure their own Coasts and Continent, and Scotland may defend itself; and I move

that we may do fo too.

Mr Secretary Coventry. ] You are told of fo many towns taken in Flanders, &c. I do affirm that the King of England had more men in the Spanish Army in Flanders, than Don John had. They had not above 6000 men, and the King of France had 40,000 foot and 6000 horse. The Confederates have now 55,000 men in Flanders, and that will not do their business, Do not then throw away 6000 men to no purpose, as is proposed. We are told that 'tis an offensive War. and we must come to it totis viribus; and will 6000 men defend England, Scotland, and Ireland? Suppose the French land in Ireland, will 6000 men do your work, when you have them in Flanders?

Mr Sacheverell. The first proposition was for an Army to fubfift of ourselves, and to be provided by us, and not to depend on foreign Countries, and some place for them, as Oftend, &c.—'Tis evident that there is no great haste to raise these men, but to be in England; we are not told that the Spaniards have agreed to any place for our men—The next is, whether he be not brought low enough to give us all his trade in Flanders. Till these Gentlemen show us other ways than they have done yet, I cannot believe that a War is intended.

Mr Secretary Williamson. The Gentleman has a jealoufy "that this looks rather like an Army to stay in England, than to go into Flanders, and it feems to him to be employed here, as if in despair of relieving Flanders." I only opened the thing, as a necessity of convenience of

having

having a town in the King's hand, but I dare not put the Army's going thither on the condition of a town, [Oftend] of which there was no choice. I never told you that it was proposed in the King's Councils, as folely necessary, but as a Key of trade, and how long the Key will be in the Spanish hands to keep, I know not. 'Tis the last thing I hope to see in the French hands. are but 400 of the King of Spain's men in it, a thin guard for that place; but I hope it will be put into fuch hands as will keep it. I hope the Committee will be fo fatisfied as to go on chearfully in this matter. But if the French have a mind to take Oftend, no man can show but they may if they please. I say this still, that as to the force the King is to raife, 'tis not necessary to put the relieving Flanders on our having Oftend in our hands, though I despair not of it; and in this matter I would loose as little time as may be. Appoint therefore any Committee to look on the mechanical part of the Paper delivered you, to calculate it clearly some way before you.

Sir William Coventry.] I would do this great matter of preparation, as we are like to hold it. The King of France is not likely to be conquered in a year; therefore I would not take the note too high at first, lest we make ill harmony. I desire only to recount the great honour the nation got at the Isle of Rhee, when we had no Auxiliaries, but ourselves. In answer to Wheeler.

Mr Secretary Coventry.] I move that the number of men may be referred to the Committee to be proportioned to that of the ships; to agree the number, and to consider of the charge. [Which passed]

## [In a Grand Committee.]

Sir Tho. Lee.] I would never go about to lessen the number, when we come to the work—But 'tis not to a vain end, when the prospect is nothing but money. Says Coventry, " if you have towns, 15000 men, &c." He said the other day " that the Duke of Villa Hermosa rather refused the men, than would give any towns." So that yet I know not whether the Horse and the

Dragoons are to go into Flanders, or ftay at home. Or whether the Drums beat to fill the Guards inclusive into this number. The Army already, before the new raised men, is 12,000 men. I would know whether all these men must presently go on ship-board, or as occasion requires-Then there will remain about 5000 We are told of Fersey and Guernsey, Ireland, and the Indies, &c. but I stand not upon how many go abroad, nor how few stay at home. New men are more troublesome than old, and quartering is a great burden upon the people-And not too near the coast at home. I hope that an advice frigate may give us timely notice, and the Militia may defend themselves, as the Act has provided; and if we have ninety fail of ships. we may prevent any thing of invasion. I would know whether the men already raifed are included in the number of 30,000. Else those may make the Army 40,000. instead of 20,000.

Col. Stroude.] I will not question, whether there be most good in Auxiliaries or not, but as for him that will stay till his Enemies attack him, they must be expected where you have no forces, as well as where you have.

Col. Birch. Now the Debate is of land forces. That of ships, you are told, is manned fully. Now for the number of land forces, unless that be cleared up, I can give . no Vote in it. 'Tis granted, that 10 or 15,000 shall be for Flanders, and Oftend, for our Commerce, and 'tis a very good thing to defend Oftend, for that purpose. But I ask whether we shall defend Flanders without the consent of the King of Spain? It does not yet appear to us, whether any Treaty is yet made with Spain, and whether, if we fend any forces over, Spain will join with us. Do but convince my understanding in this, and you shall have my money and bones too. 'Tis a blind thing, without knowing this. Shall we keep Flanders without the Spaniards consent? I would then see what Spain does towards this. I would know whether we must have our forces as Auxiliaries, and what honour we may have with that, and what by going by ourselves in a distinct body. When

When the Committee shall see the end, and the way to it, I am ready to take these rubs out of the way, and

I will go along with you.

Mr Secretary Coventry.] As to Birch's query of "faving Flanders without the King of Spain's consent," if it be so, I am one of those who will not give my confent to save Flanders. Spain had 14,000 men out of Holland, to assist Flanders, and no Towns or Garrisons were put into the Hollanders hands. The King therefore has not a necessary dependence upon that, and that was told you. For Spain is not able to pay those Dutch forces he has already. Auxiliaries love to be epaules, shouldered up with horse of their own. Reckon how many men we have had formerly in Holland to assist them against the Spaniards—Reckon the necessary defence of Jersey, Guernsey, Holy Island, and Ireland, with the Leeward Islands, and the Plantations, and we cannot have less than the proportion required from you.

Mr Powle.] The number now demanded, upon the account of an auxiliary Army, is a proportion that may subsist of itself. I find it generally said that 10, or 12,000 men are sufficient for that purpose, with some addition of horse. But for the other body too, I am not convinced of the necessity. It is faid by some Gentlemen, "that a body must be ready, if a descent be made upon France." The Dutch, in 1674, had feven or eight thousand on board their fleet, and a descent was made upon Belleisle, and what they got by it did not pay the tenth part of their charges. The last War we had with Holland, there was a descent intended into Holland, with our forces at Yarmouth \*. They made a descent indeed to Yarmouth, and there they disbanded, fersey and Guernsey are near France, and I yet remember they were not in danger the last War we had with France, and no fuch preparations were made from hence, to defend them, as are now spoken of. Most of the Inhabitants are martial men, and are able to defend their own Coasts—And if we send out so many ships,

<sup>\*</sup> Under Count Schomberg. See Vol. II. p. 208.

as is spoken of, D'Estrees will be called suddenly out of the Indies; and I think Jersey and Guernsey ought to contribute towards the charge of their own defence. Clearly, I must tell you, that the bigger sum we give,

the less I believe the War will go on.

Mr Secretary Coventry.] If all the French talliage was spoiled on the maritime part of France, when the Dutch fleet appeared upon their coast, why did not the Dutch return thither again, when they did it with fo few ships, as Clarges told you? But all the hurt the Dutch did France in truth, was only the taking of some few fishermen, and cattle. Powle told you, "that the men raised for an incursion into Holland never went farther than Yarmouth." But the troops that went aboard Prince Rupers never came to Yarmouth. When you have provided a fleet to annoy France, and forces for the defence of Flanders, I hope you will not forget yourselves for your own defence. What condition were Norfolk and Suffolk in, when the Dutch were upon their coasts? They would have been in a fad condition, if the Dutch had landed. Their Militia would have fignified little for their defence.

Mr Secretary Williamson. Exceptions are taken at the computation of the forces. One fays, " If he were fatisfied in some points as in the Treaty, &c." To that it has been faid, "There is a negotiation about it." But fays another, " Must that depend upon the Spaniards confent?" Is it to be believed that a people will not be faved when they may? But, plainly, they must be saved whether they will or not. St Ghilian was loft, because the Spaniards would not fave it. The Prince of Orange would have put in men; and the Prince put men into Mons, whether they would or not; the Spaniards go fo awkwardly about their business. But to ask what is Holland's quota, is another thing, and I have told you what it is, as to their ships, that is concerted with Holland. Their quota is their totum. A Committee of the Council is on foot with their Treaty for the concert of the whole. Another Gentleman objected, "Sure the men must be on board the fleet, and not on the land, and that such descents have not been successful." I answer, those on ship-board are ready for any occasion that offers itself. And if what is proposed be so big as to master the King of France, I am persuaded he will not come out to you. 'Tis said "That fersey and Guernsey were in no danger the last War, &c." I answer, there is a vast difference between that War and this. There is a different way of engagement, you entering into the War of your own accord, and he falling on you with his utmost strength. All this offered you is to prevent surprize upon your Islands and Plantations. If se not, upon the utmost Debate, any room for suspicion—Here is nothing before you but what is necessary on land and sea, to prevent incursions.

Sir William Coventry.] " To Support Spain against their will," as, the Gentleman tells you, they must be, is a hard task. But we find, Spain is little able to do any thing himself. All I have to say to that is, God forgive them that let the balance go down, on that fide! The very porters in the street see it so plain. I think 12,000 men for a descent into Flanders, well disposed, may go a great way in preservation of it. A little may serve for putting Garrisons into Towns, till we meet again. But how often have we fent Auxiliaries abroad, and have had no Towns given us? There were many and many Supplies and Succours fent into Holland, feven years before we had any cautionary Towns - When Queen Elizabeth bore the charges, the cautionary Towns were for the Hollanders to pay it back in four years. What Towns had Queen Elizabeth when she succoured Henry IV in France? But when she sent to succour the Hugonots, her having Havre de Grace taken from her was her greatest disgrace. For both Catholics and Hugenots joined to get it from her. Cromwell, when he affifted the French against Flanders, had no Towns for his Auxiliaries. He only had Dunkirk, when he took it. When Portugal had Auxiliaries both French and English, they had no Towns for them. I do readily concur for ten or twelve thousand men, to be sent speedily into Flanders,

with all my foul. Horse has not been the general way of Auxiliaries, unless some few sent into Portugal; but if they have been, now they are less necessary, Flanders being extraordinarily wasted, and scarce a spot of ground that pays not contribution to the French King. I would indeed covenant for a place for them to land, but as for the Horse, will you keep them on the sea-coast in England, or fend provision to them when they are landed? I fee not how that can be. The men that were fent against Holland, in that War, were borne as part of the compliment of the ships. Some more were fent with the fleet, but they were not of the fleet, and they did little good. To put so many together is but to throw the plague and pestilence amongst them. It has been faid, "That the Dutch did waste the King of France's taxes fo as he loft a year's revenue by it, on the maritime part of France." I know not what France loft, or what honour the Dutch got by it, but had they fo wasted the French, they would sure have returned to get honour again. Courage is born with the English, but conduct must be got by experience. 'Tis well known that we have had God's bleffing of Peace, and those experienced officers of the former age are either dead, or disabled by age to do the nation service. And I doubt that by experience you will find, that any province in France you shall make a descent into, hath more good officers than all we can fend over; and when all is done, by miftrust of conduct they will be ready to cut one anothers throats; and we shall be troubled with accusations of miscarriages here. So that till we have officers of experience, I would not think of any descents to be made into France. 'Tis taken for granted, that we are to fet out ninety fail of ships, and the French now dare not show their faces out of their ports. Shall we fear their landing then, and have such a fleet? Our Militia may be of some service to us, sure. Let us think upon that when he does come indeed. Elfe alarms, and unnecessary charges, will bring us so low, that when there is a real need, we shall not be able to help ourfelves.

felves. I would willingly understand whether those regiments in the King's pay already must not be reckoned towards this number: I would understand that first, and then I should give my hearty concurrence.

Refolved, (by the Committee) That 26 Regiments of Foots each of one thousand men, 4 Regiments of Horse, each of sour hundred and ninety men, and 2 of Dragoons, each of nine hundred and fixty, [in all 29,880] are necessary for the support of his Majesty's present Alliances, &c.

Before the House passed the Question,

Sir Tho. Lee.] Moved that the House may be told how long this Alliance is to last; whether it is a perpetual Alliance; for if so, this looks more like a standing Army.

Mr Secretary Williamson.] The stipulation is defenfive, and perpetual, according to occasion for the future,

but for the present, it is an immediate offence.

Mr Mallet.] To take away fears and jealousies, I would have this Army "during an actual War with France."

The Speaker.] You vote not the numbers of men

barely, but only to compose your measures by.

Mr Secretary Coventry.] This Vote is passed upon the same account your ships were. If there is no apprehension that those ships shall be always kept up, there is

no more fear for this Army.

Sir Thomas Meres.] Those 30,000 we have voted are over and above the little Army we have already. I would have it remembered that the Commons of England have privilege to know what is necessary for Peace and War. I wonder how these words should stick with us, "during an actual War with France." When the Bill comes to be penned, all those circumstances must be thought of.

Col. Birch.] I would know, whether, after one or more additions are put, I may fpeak against the main Question. I would be resolved of it, that I may not be prevented speaking when the main Question is to be

put.

Sir Thomas Meres. ] As to the numbers of men we are to fend into Flanders, 'tis not likely to have Spaniards at all, so that this money is lost. To 13,000 men I will give my Vote to go into Flanders. I am forry that the terms with Spain, when they would have given us good ones, were not accepted. But now let their terms be what they will, we must take them, and better than let them give their towns up to France. "Lessening the power of the French King" is in your Question, yet these men and ships are "to support Alliances"-And that must be, else you have voted nothing; so that your whole matter is very loofe; as to this Vote-And you are not fure that any thing shall be done against France-You will be told that Spain will do nothing, and so you cannot come at a War with France; without the complyance of Spain, you cannot come at France. My fear is, that an Army is fetting up for another purpose than against the French King, and that it is for a ftanding Army.

Mr Secretary Coventry.] I have often been interrogated about these Treaties, and I would have Meres interrogated, where he had intelligence that the Spaniards would do

nothing towards this War?

Col. Birch. I hear nothing faid but Queries. If I ask to be informed, I can hear nothing but out of the Harlem Gazette, and Coffee-houses; and till I can see better light, let us have more Queries. I suppose Merès has no better intelligence than I, and where I had mine I have told you. There was never the like Question put in Parliament-You have had a paper of the forces brought you in, of Horse and Foot, and it has been asked how they are to be disposed of, and you are told 14,000 shall go into Flanders, and the rest are for the fleet, and the outside garrisons. I will not be guilty of putting any man's life in hazard, but to fave my own-What should these forces do in Flanders, unless to be starved and die in ditches? You have been told, "that if Foot be fent thither they may live, but Horse cannot live, unless they make their way farther into the country." If these men were in Holland, they might be put into gar-

garrisons, and they cannot be long there neither. I am for fecuring Holland, and I believe it must come to that. I have feen Dragoons in my time, and I would have Gentlemen tell you the charge they put the country to, and the mischief they do; they turn rogues and plunder the next village they come at; they will make the Boors in Flanders cut their throats. I had a regiment, in our late unhappy War, of 1000 Dragoons, and when they were to fight, one half of them was not to be found; they were gone a roguing abroad. 'Tis parliamentary to put the Question single, as to the number of men. I have told you, formerly, what it is to put fo many men, on board the fleet, into one ship; they would be stifled with fickness. I agree to it, that if we raise but 1000 men for the fleet, they may fcour the Channel, from one place to another—Eight score trained bands may be in a body; some on the sea-side, but not near any great market town, nor ale-houses, but encamped—The same course the King of France has taken-If the King of France does, as I have faid for us, I would have the trained bands be drawn together, and be made useful. We were told, "they were not useful when the Dutch landed about Landguard Fort." That was because they had not been drawn together before. If they had had more discipline and less ale, they might have done better. You have now a month or two, to bring them into order, and not any need of raising new men to defend the Coast. I really intend the thing, and I am against Dragoons in this army—And the foot we fend over as Auxiliaries. Something I would have, and fomething I would not have, therefore pray divide the Question.

Mr Secretary Covenity.] I will aver as much as I know of this matter in doubt. I have all the papers that passed betwixt the Spanish Ambassador and the King, and the Spaniards never demanded so much as within these three weeks. If Birch intends, by what he has said, to keep the trained bands always in discipline during the War, it will be a great charge to the nation, if for a month—The King of France has been sive years in

doing

doing it—If I had not heard it from Birch himself, "That his Dragoons (under his command) were disorderly," I should not have believed it. Neither the Emperor, nor Hollanders, nor any of the Consederates, but have Dragoons in their army. Now whether you will take Birch's judgment about the usefulness of Dragoons, who never was in a War abroad, only in England, I leave it to you. Now having your ports, your fleet, and the Leeward Islands to guard, and Flanders to preferve, I do not see how you can have less force than is proposed.

The words "during an actual War against France" were added to the Vote, and it was then agreed to by the House.

Sir Thomas Meres.] I will give a reason for what I have said, voluntarily, and as free as Blackberries, though not upon compulsion. I do aver I never spoke with any Ambassadors, and I scarce know the sace of any Ambassador.

## Saturday, February 9.

Debate, by Order, on the Speaker's Adjournment of the House, &c.

The Speaker.] After the King's command of Adjournment of the House, I declared the House (as I thought

was my duty) adjourned accordingly.

Sir Thomas Clarges.] Lord Coke, in his Institutes, speaks at large of Adjournments of Parliaments; where he declares the House of Commons to be a Court, and says, "That Adjourment of the House is not the single Act of any one person, but of the whole Court. Prorogations and Adjournments were formerly convertible terms (as he tells you) but altered since. That of Adjournment is always by general consent of the House, and if any one scruple arises, the Speaker cannot adjourn till it be removed, and the method is so in both Houses of Parliament." I did enquire whether the Lord Chancellor, in the House of Lords, did ask the Lords pleasure, whether they would adjourn? And he had it in direction from the Lords to adjourn. And in one of the late

Adjournments, the Lords had a Writ of Error recorded before they adjourned. The Lord Chancellor is a man of great experience, and learned in Parliament affairs, and would not do contrary to the Lords commands, which he received. Now, whether will you read those Records, which, you say, Mr Speaker, will satisfy us in your proceedings? I would either have it done, or refer them to a Committee to examine the authenticity and weight of them. And I move that the Lawyers may be sent for from Westminster Hall, as is usual in such cases. There is one learned Gentleman has studied the point, and may be of great help to us.

Sir John Ernly.] I hear this House called "a Court" by the Gentleman who spoke last, but we are no Judicature, we cannot give an oath, our Clerk is but Subclericus. The Lords Clerk is Clericus Parliamentorum. Full Parliament is "a Court." If any Gentleman has searched precedents, I would have them produced. Else we must sit down with the Speaker's precedents.

The Speaker.] I had not all my precedents when this matter was last touched upon. I have since searched farther; and 'tis the Doctrine I have learned from my predecessors, that when the King commands an Adjournment of the House, 'tis your duty to obey it, without any matter intervening; and till you declare the contrary, I shall continue to do what I have done formerly. If it be your pleasure, I shall open the nature of the thing, and leave it to your consideration.

Sir Phil. Warwick.] A thing you would not have debated I will not begin to debate, fince it is the King's authority. Confider the nature of the thing, whether the King cannot adjourn this House at his pleasure; and, after that, whether you can enter into any Debate. I would see precedents of the thing, as has been moved, and those Records, the Speaker says, he has, to justify himself in what he has done.

Sir Thomas Meres.] I observe, that when a troublesome matter comes before the House, and is once put off, it is seldom taken up again. But now we are come to our day, and we begin to debate it. I will wholly wave the present Debate of the King's Prerogative. This matter of adjourning the House is a question very requisite to be determined, which way soever it be, and I would by no means have you let it go, but settle it. I desire that those who are conversant in things of this nature, may be sent for, to attend, and the Mace sent to call them up. And, I hope, in an hour or two, to find it a very clear case. Prorogation is not the point in question, and if you debate what is convenient, there will be no end of that; but let us go upon Custom of Parliament, which is the easiest way, and the matter will be quickly decided.

The Gentlemen of the Long Robe were fent for by the Mace.

Mr Powle. I allow the King's Prerogative to call. adjourn, and prorogue Parliaments. The Question is not that, but the manner of exercifing that power. That being premised, I conceive this is the right, and ought to be, of the House, adjourning themselves. Calling and diffolving Parliaments is an Act relating to the Government of the nation; but adjourning the House, from time to time, relates to the affairs of the House, and is lodged in the House; and ought not to be communicated to the King, but by the mouth of the Speaker. 'Tis a power always to refide in the House, who know best how their affairs stand, and may be very inconvenient if in the King. The way of doing it by the King, is either by himself in person, in pleno Parliamento, or it is done by Commission, or Writ, under the Great Seal, and no private Message by the Secretary, or Message under the Signet is of authority to adjourn us, unless in pleno Parliamento, as I have faid. The King cannot call a Parliament under his Signet, nor any other way but by his Writ, under the Great Seal. Though the House does take notice of Messages from the King, yet we are not bound by them. It has been faid "we are a Court," but the powers are diminished fince the two Houses separated themselves; though I can bring feveral precedents that we are a Court of Re-

cord. I take the Lords House, and the Commons to be but one Court in judgment of Law; and that is the High Court of Parliament. It must follow then, that the King must adjourn the whole Court; either he must take the whole, or leave the whole, as in the Courts of Westminster. If the King should adjourn the House of Commons, and leave the Lords fitting, or the Lords, and leave the Commons fitting (their actings mutually relating to each other as to the Legislature) it would breed a confusion; and no man knows how far the Lords Court would extend itself upon lives and estates. Little now is left farther to be faid; for if the power of Adjournments be not in the Crown, it cannot be in the Chair. The Speaker is called "The mouth and tongue of the House," which speaks the conceptions of the mind. Not that he is to make those conceptions, but pronounce what he has in command from the House. Lentbal, the Speaker, (upon an occasion known to most) told the late King "He had neither tongue, eyes, nor ears, but what the House gave him." And having said all this, I think I have showed you some kind of reason for my affertion, that 'tis the right of the House to adjourn themselves. Now how this matter of Adjournment has been in practice; I am not so well versed in precedents, as other Gentlemen. I have a book in my hand, of all the main precedents in Rushworth's Collections, which I shall rather make use of than those in particular Cabinets. In 3 Charles, the King fent a Message to the House, not to adjourn the House for the Easter Holidays, which by reason of the departure of many Members they intended to do, but to continue fitting. Sir Robert Philips excepted first against this Mesfage of non-recess, and took notice that in the 12th and 18th of King James, upon the like intimation, the House resolved that it was in their power to adjourn, or fit, and moved for a Committee to consider thereof, and of our right herein, and to make a declaration; and accordingly it was appointed. And refolved, that it being now yielded unto, in obedience to his Majesty, it might not

not turn to prejudice in time to come. Sir Robert Philips and Sir Edward Coke both urged then, that the business of the House is always done by the House itself. Coke then cited a case of a Corrody, &c. The King sends his Writ for a Corrody to an Abbot, for a vallet; if it be ex rogatu, though the Abbot yields to it, it binds not, but if without it, the Abbot is charged by such a pension, for life of the vallet. So Coke desired that the Adjournment of the House might be entered upon the books, "Ex rogatu, non ex mandato, Regis."

The Speaker, then asked Mr Powle, Whether the

Records he had recited agreed with the original?

Mr Powle answered.] Those in private hands agreed with Rushworth, -and proceeded. In the 18th of King James, the King had a a mind to adjourn the House by Commission; some then checked it in the House, for they found the Commission was not directed to them: and therefore took no notice of it, but adjourned themfelves. The next thing I shall mention is the strongest case of all, though not in all respects; and that is the case of Lord Finch. The declaration, and causes of dissolving that Parliament, which he was Speaker of, and the whole matter is in print, which sufficiently justifies me in the The 23d of February the King fent to the House of Commons to adjourn themselves for ten days. (The House was then in a Grand Committee) The Speaker fignified the King's pleasure, and asked leave of the House to attend the King as he had commanded him; they gave him leave. The Speaker then delivered the King's command of adjourning the House, without a Question, or admitting any farther Speeches. Sir John Elliot then presented the House a remonstrance against the Lord Treasurer Weston, to be read. The Speaker then leaped out of the Chair, (as you, Mr Speaker, have several times done) but offered not to adjourn the House, but would not suffer any man to proceed, and refused to put Questions, and alledged he had the King's command for it; for had he supposed himself in that power, he needed not to have resuled to put Questions, but might have adjourned the House without a Question. Then a long time intermitted, till that that Parliament, called "the three weeks Parliament," met. And although an intermission of 12 years, and Finch was removed into the Lords House, yet the thing was revived, and debated. That short Parliament was much better than that which succeeded, for the House then confifted of learned and worthy men, and therefore I lay the more weight upon it. And if the King had complied with that Parliament, much of the misfortunes which afterwards happened, might have been prevented. in all human probability. The Vote they then made, was "That the Speaker (Sir John Finch) refusing to put a Question, being thereunto required, or to adjourn the House upon any command whatsoever, without the consent and approbation of the House itself, are breaches and violations which highly impeach the Privilege of Parliament." When the King had made a verbal command of Adjournment, and fignified it, and no Adjournment shall be made; I dare venture the cause upon that iffue. The Long Parliament came after, and Lord Finch was impeached the 27th of December. Whilst the House was in Debate upon the Impeachment, Lord Finch asked leave of the House, and obtained it, to make his defence, and made the Speech in the printed This was done very early in that Parliament, before any diffurbances began, and, without Question, that was an affembly of knowing and learned men. And his Adjournment of the House by the King's command was voted a crime, and was the fecond Article in his Impeachment. For the Speaker to forbid a man to speak, is an offence of a high nature. For if that Speaker could have pretended power of Adjournment, he might have done it, without forbidding Gentlemen to speak. The Lord Keeper made this apology for himself, amongst several others in print, at large, "Humbly to befeech you all to confider that if it had been any man's case, as it was his, between the displeasure of a gracious King, and the ill opinion of an honourable Affembly, he befeeched them to lay all together, lay his first actions with the last, and he would submit to the honourable table construction of the House" Now for a more recent precedent, you will find in the King's two printed Speeches in the Convention, (though that was no Parliament) yet one very like it. The King fent to the Commons, when they had passed the Act of Oblivion, to adjourn themselves, and the King, in his Speech, then did direct them to adjourn. The King could not think he had it in his power, he might else have as well done it then himself. In 1670, the King tells the Commons, "because they had been a long time from home, he was content they should adjourn themselves." October 26, 1677. The King, in his Speech, fays "he intends the House of Peers may, and the Commons may adjourn themselves. Whoever advised the King to do that, took it not for the King's Prerogative to adjourn the House, but for the House to adjourn itself; and so it would have been the last time, if the House had been let alone by the Speaker. The House of Lords has a Roll of Record of their standing Orders, and amongst them there is one "That the Chancellor shall not adjourn the House without Order from the House." You may remember, Mr Speaker, that Motions were made for printing your Speech, and it was debated, and all that, after the King had fignified his pleasure of Adjournment of the House. This is all that I have to fay in this matter. I have only opened it to give occasion to the Gentlemen of the Long Robe to inform you farther, that the thing may be fet right.

Mr Sacheverell.] This Debate began first upon a charge in writing that I, some time since, delivered against the Speaker\*. The Question now before us is not betwixt the House and the Crown, in matter of Adjournment, but betwixt the Speaker and us. I have sought writings and records, to justify the right of the House in this matter. I am willing to part with that charge I brought in, and since the House has waved it, I shall do so too; and will acquiesce in what the House shall determine.

Sir Tho. Meres.] As Powle has mentioned the constitution of Parliament in precedents from fixty years downwards, I would yet come lower. He faid, "As the Lords have thought good not to be under that difficulty of Adjournment by the Chancellor, fo we may be fet out of it also by the Speaker, and may declare that the House is not to be adjourned without their own consent." If the point be so put down upon your books, our day of Debate upon this matter is ended, and the thing rests quiet. Every Act here is by the confent of the House, two ways; 'tis had either upon the Question, or by common consent. If entered, "Ordered, upon the Question, then it has been a Debate. If the thing pass by common consent, 'tis entered, "Ordered," only. So for Adjournment, if no Question of it be made, then 'tis very frequent for the Chair to order it upon the universal cry, "Adjourn, Adjourn." But if the Speaker be moved for a Question, he cannot deny The thing itself is sufficiently declared when no man contradicts it. Generally the thing is thus entered by skilful Clerks; possibly new Clerks may do otherwise; yet they should not. The 20th of December 1661, after the House was called up by the Black Rod to attend the King, who fignified his pleasure of Adjournment, the House came down, and resolved upon matters to be done at their next meeting, after that Adjournment was fignified. The King's pleasure of Adjournment does but fignify that day; but so that no minutes must be spent to fet your House in order cannot be the intention. As if a Member should be beaten, coming from the Lords House hither, will you not consider that breach of Privilege? When the King fignifies his pleasure of Adjournment, it is not to be refused, and no Parliament will ever refuse adjourning. In 1661, the Adjournment was entered into the books, upon the Question put, and the House adjourned, &c. by the consent of the House, which the entering the Question plainly shows. In 1668, after the King's pleasure signified of Adjournment, the House adjourned itself; though it was not entered "by a Question," yet it is "by Order," which implies consent. The 1st of April, 2 Cha. I. the King defired the House would VOL. V. adjourn.

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adjourn, and they debated the reason of it, and they divided upon the Question, though it was carried as the King would have it; and the Speaker adjourned the House accordingly. These precedents are all plain upon your books.

Serjeant Maynard, The Speaker offering to interrupt, Meres, said, You ought not to interrupt a Gentleman when

he is speaking.

Sir Thomas Meres goes on.] What I say is for the interest of King and Parliament, and I would have the Question easily wound up, as the Lords have done, viz. "That the House is not to be adjourned by the Speaker without their own consent."

Mr Mallet.] The great Minister of State, the Earl of Clarendon, once attempted to have all powers involved upon a Committee of Lords and Commons, upon pretence of a Plot, which was plainly for setting up a standing Army; and what the King did was by the instigation of that Minister. I desire, that the Order moved for, which the Lords have made, may be a standing Order, and as perpetual as that of the Medes and Persians.

The Speaker.] I have taken out of the Journal-books what I shall represent to you, in this matter of Adjournments, and leave it to your confideration. Prorogations and Adjournments may be done by the Great Seal, the King absent, by Commissioners; and, by the King present, " ex mandato Regis." Adjournments from day to day are fometimes by the defire of the King, and sometimes by the desire of the House. That of Adjournment by Commission is a Prorogation to some uses, though not to all, all Bills remaining in statu quo, &c. and all Committees ceasing, and Privilege also. If the King be present at the Adjournment, 'tis then entered into the book, " ex mandato Domini Regis." In Edward I's time, the Commons defired to confult their Country upon an Aid demanded, before they granted it, and they were adjourned by the King. When that King was absent, they were adjourned by the Queen, and the Chancellor, and all Bills were left in statu quo. But

not Committees. No entry is made, in the Lords Journals, of the Houses adjourning themselves from Ed. VI's time, and from Henry VIII's time, to the end of the Long Parliament by a Question. No entry is made of the Commons Adjournment, unless when the King commanded the Adjournment, as in the case now before you. In King James's time, the ordinary Adjournments, from day to day, were not entered into the Journal. That of the 12th of King James was not a Parliament, for nothing was done in it; no Bills passed. But in that Journal there are no footsteps of this matter. In the 13th of King James, all the King's Adjournments were made by Commission, and then the King signified his pleafure of the intended Adjournment. The House of Commons were diffatisfied with it, and defired to fit fometime longer, till the Bills before them were brought to fome perfection; the Commons fent a Message to the Lords, to join with them in a Petition to the King for leave to fit longer, and the Lords refused to join with them, and declared, "that the adjourning, calling, and diffolving Parliaments was the fole right of the Crown." But, at a Conference afterwards, they acquainted the Commons, "that, by this Adjournment, the King had declared to them, that the Bills depending in each House should not be cut off by the Adjournment;" and the Commons rested satisfied. But King James told the Commons, in harsh terms, his dislike of their proceedings, and commended the duty of the Lords. The Commission then for adjourning the Parliament the Commons avoided reading in their House, because not directed to them, but they obeyed the King's pleafure in adjourning, though not by that Commission; and several Adjournments afterwards fucceeded one another. But 'tis noted in that Journal, "That a motion being offered for Writs to iffue out to supply vacancies, the House refused to make any Order in it, being to adjourn, and would hear no motion that day." I fpeak this to show that no Question was ever put, nor bufiness ever done, after the King's pleasure of Adjourn-K 2

ment was fignified. I Charles I. The Lords fent to the Commons to come up to the Lords House, to hear the King's Commission of Adjournment read. The Commons fent the Lords this Answer to their Message, "That 'twas according to ancient precedents, that the House of Commons always adjourned themselves." Now the Question was only, whether the Commons should be adjourned in the Lords House, or here; and the Commons then adjourned to Oxford to the first of August. 2 Char. I. The Speaker brings a Message from the King, to require the House to make no farther proceedings in business, and that the House should adjourn all Committees; and the House was adjourned accordingly. A Meffage was fent from the Lords, by Mr Justice Hutton, and Mr Justice Jones, to fignify "that the King gave leave to the Houses to sit a few days longer, to perfect the Petition of Right, and the Bill of Subfidies, and that they might go hand in hand." I fpeak this to declare Adjournment, by Commission, to be in the nature of Prorogation. 5 Char. I. Feb. 25. A remonstrance was prepared by some Members, after an Adjournment of that day to the fecond of March, which being proposed, Sir John Finch, the then Speaker, said, "He had a Command from the King to adjourn the House to the 10th of March," and put no Question of Adjournment, and refused to put any Question. Mr Secretary Coke delivered the Message of the House adlourning on Wednesday the 25th of February, till Monday the 2d of March, and the Speaker adjourned the House accordingly, without a Question, or particular command from the House. The House being met according, to that Adjournment, fome called to the Speaker to put the Question about the protestation, or remonstrance. He refused to put the Question, and proffered to go out of the Chair, and the riot thereupon followed. The Little Parliament, in 1640, was not a Parliament in Law, having done no Act. Though a Parliament met not till ten years after, they fell into examination of the breach of Privilege, the last day of the sitting

ting of the former Parliament, by the Speaker. matter of fact was stated, and the House came to a refolution in this Vote, "That the Speaker, (Sir John Finch) refusing to put a Question, being thereunto required, or to adjourn the House upon any command whatsoever. without the confent and approbation of the House itself, are breaches, and violations, which highly impeach the Privileges of Parliament." Iobserve, that the Housewas then possessed of a Debate, and the Speaker refused to put a Question, and that was the thing complained of, and the particular Article relates to nothing elfe, but the matter of fact depending in the House; and I make no Question, nor ever did, that when the King commands an Adjournment, 'tis the Act of the House, and the Speaker can do no otherwise. But this always has been the form of doing it, when the King commands you to adjourn, and 'tis because you receive the King's command, and execute it after another kind of method than other things are done. The King fent a Message to the House, by the Attorney General, and a Question arose how the Meffage should be received: The Attorney was ordered to come to the Bar, and the Speaker and the House to be bare during the time of the delivery of the Message, that no disrespect should be given to the King's command. No man that is not a Member, but is called into the House by a Question. But it was never known that a Question was ever put for calling in the Black Rod, the King's Messenger. We met here, upon an Adjournment, and there was a motion for a Writ to be iffued out to fill up a vacancy, and you ordered no Question to be put, the Black Rod knocking at the door. I fay all this to flow, that, in receiving the King's command, and executing it, it is not done as in other cases. For Adjournment, upon the King's command, there is never any Question put, because the obedience to it is never doubted, and where there is no room for a doubt, there is none for a Question. "The King commands the House to adjourn, and they will not "-There is no precedent of any fuch thing. A Gentleman did rife K 3

up to speak, when I adjourned the House, and all the House called out, "Adjourn, Adjourn," and none "Not adjourn." I think I did then what I ought to do, in adjourning the House, and shall do it again, till I am

otherwise ordered by the House.

Sir Thomas Meres.] April 5, 2 Charles I. The remonstrance was read. Significanter, the Chancellor of the Exchequer reported to the House, "that 'twas the King's desire the House should adjourn for a week, as the Lords had done, for the King could give no present answer to the remonstrance, and that the Lords and we then might meet, and repair the time we had lost." Upon the Question twice put upon the Message the House divided.

Lord Cavendish. ] Since, Mr Speaker, you have overheard what I faid, viz. "that part of your discourse amounted to nothing," I will give you my reason for it. If you had not adjourned the House the last time, the next Question would have been, to put another in your place. I was at the first against bringing a charge against the Speaker, but I desire that the Privilege of the House may be afferted. I thought, Mr Speaker, you yourself was once of another opinion. In the last April Adjournment, when the House came from the Lords. a Gentleman moved, "That the Speaker might print his Speech, which he made at the Lords Bar." You, Mr Speaker, did not fay then, "That no man could speak, after the King's pleasure of Adjournment was signified." You made a modest reply, but said not, "That no man could then make a motion."

The Speaker.] Mr Secretary Coke presented the remonstrance to the King, 2 Charles I. And the King said, "He would consider of it." But there was no command then that the House should adjourn.

Sir I bomas Meres.] The King in his Proclamation fays,

"The House may adjourn themselves."

Mr Powle.] That precedent you mention, Mr Speaker, of 2 Char. I. shows no difference then between the Speaker and the House about Adjournment; you seeming to

put by the blow, by that precedent. Had the Speaker then adjourned the House, there had been no room to call for the Question. But take the Vote in Sir John Finch's case, 'tis one thing what is done ill de jure, and another out of respect to the King; and in that I would go as far as any man. But for the Speaker to adjourn the House de jure, may be dangerous to the very Government. If you will observe that declaration for dissolving the Parliament of 5 Charles I. it tells you the Speaker took the command, &c. from the King, and he cannot do it by a verbal command, which does not imply that the King cannot do it by Commission. The King made his command of Adjournment, in May last, to the House, and not to you, Mr Speaker; and that I insist upon.

Mr. Waller.] I like the Question proposed very well, viz. "That the House is not to be adjourned by the

Speaker without their confent."

Mr Secretary Williamson. Though this is not immediately the King's Prerogative, yet it stands upon the confines of it. This point must not be upon matter of convenience, but perfectly upon matter of fact. have heard precedents from learned Gentlemen, and from yourself, Mr Speaker, there are many, but if the Question be rightly stated, and one word taken into it, viz, immediately," no one precedent comes up to it. But when the King's pleasure is signified of an "immediate" Adjournment, nothing intervened of Debate in the House, and it was not executed by a Question. The whole hinge of the thing depends upon that fingle word. 'Tis no doubt nor Question, but that Adjournment is the fingle Act of the House, but no business is to intervene before the Adjournment. It appears by all precedents, when ever the King has fignified his pleasure of Adjournment, the House has done as the King directed, nothing intervening. I hope, that, as this is the Authority of the Crown, you will not make an order to take any of that power away, therefore, in order to the Question, it may pass, so as it may not be construed hereafter to take the K 4

power out of the Crown; that Adjournment may not stand in opposition to Prorogation, and not leave the Government lame & impotent, in whatever emergency may occur.

Mr Waller.] In the word "immediately" the King is extremely concerned, and more than the House, and I fee not, without this Question, how the King can be obeyed. If the Adjournment is "immediately" to be made upon the King's command, then 'tis to be done fine medio. But yet the Message of Adjournment was not fent to the Speaker, but to us, to adjourn ourselves; fo that if the Speaker does it, without direction from the House, we cannot obey the King, and I say it for the King's fake. The Schoolmen fay, "God cannot make a thing to be and not to be at the fame time." This freedom of speech here could never be taken away. If a man be speaking, and the Speaker will not hear him, this is not to hear the House speak. The House is adjourned either by general consent, no man opposing, or in order to it; by a Question, and if we cannot speak after fignification of the King's pleasure of Adjournment, we have no way left of complying with the King's defires. Plainly, in a Prorogation of the Parliament in the Lords House, the Lord Keeper says, " My Lords and Gentlemen, 'Tis the King's pleafure to prorogue this Parliament;" but then we are nothing but passive; we are not so in an Adjournment. Great bodies must be moved with great majesty. In the Act of recognition of the King's title, in King James's time, one Bishop gave a great No to it, and it had like to have cost him his life—That instance given by the Speaker, of the Black Rod knocking at the door, is a perfect mistake, for in that we are perfectly passive. We were called by the King to diffolve us, in the Little Parliament before the Long Parliament. The King calls us to the Lords House, and we must go. But in this of a Command to the House to adjourn, the King bids us be active, and shall we disobey him? As to the word "immediately," it is a new word, and if new words should throw away old Privileges, we shall never

want new words, and we shall want old Privileges. In this Question we are now in for all we are worth, and should it go to the people's ears, that we that represent them are all shrunk into the Chair, and that the Speaker only represents the Commons of England, they would not think themselves secure of their lives and fortunes, and would very hardly raise the money you intend. If the Speaker be bigger than us, what bulwark are we of the lives and fortunes of them that sent us hither? You, Mr Speaker, may be mistaken, and so may the House too, and I would willingly pass it by as to the crime in the Speaker, and put the other Question

of fecuring our Privileges.

Mr Finch.] I conceive that when the King is in Parliament, in Person, or by Commission, he may adjourn us, and that, to all intents and purposes, in some fense, is a Prorogation; but I think the King cannot adjourn this House alone, without the Adjournment of the Lords also. For every Commission of Adjournment, or done by himself, in his Royal person, is in Law a Prorogation, and all business ceases. 14 Queen Eliz. The Commons were fent for to the Lords House, where the Custos Sigilli privati adjourned the Parliament, and you will find the Adjournment entered from May to June. But though "Custos Sigilli privati ex mandato Dominæ Reginæ adjournavit Parliamentum," I cannot conclude from thence, that, because the King cannot call a Parliament by the Privy Seal, yet by fingle command the Lord Chancellor, or Lord Keeper, &c. may not adjourn the House. From the reason of the thing done, 'tis your duty to obey the command, and 'tis no way derogatory to your Privileges. If a Question be put for an Adjournment, it is no Adjournment, till the Speaker pronounces it. You cannot adjourn yourselves above an ordinary time, without the King's leave. We are called by the King's Writ, and should we adjourn the House for a week, or a month, and the Lords do not adjourn, the confusion would be great; and to prevent it, our obedience to the King's command is neceffary. ceffary. Therefore in the King's printed Speeches, the King gives us leave, he directs it, and his confent to it infers that the King's leave is necessary. When Sir John Finch refused to put the Question, for reading the remonstrance against the Lord Treasurer Weston, he was held in his Chair, and how could he adjourn the House when held in his Chair? The present Debate is upon this point; whether, after the King's Meffage to command us to adjourn, we can proceed to debate any business? I believe we cannot. To that objected of " A Member's being beaten in his return from the Lords House," I thus answer. If Adjournment be but one day in Law, when the House meets again they may redress that violation of Privilege. Suppose the King fends a Message to the House to adjourn at such a time, and in confidence of that Adjournment, Gentlemen go into the Country, will you put it into the power of any Numbers of Gentlemen about the town to keep on Debates, and proceed in business? If so, it will always necessitate the King to Prorogations, and not Adjournments, and fo cut off all Bills and business depending, and at your next meeting you must begin all again.

Serjeant Maynard.] I am forry to hear things put in this Debate neither for the advantage of the Crown, nor this House. By the Debate, the matter is thus: The King's pleasure of Adjournment, being fignified to the House, the House must immediately adjourn, without proceeding farther in any business whatsoever. I have attended all the precedents the Speaker has cited, with great care, diligence, and fidelity. I find not, in any proceedings, after King James, this case put into the books in terminis. But we speak not now of the King's power of adjourning and proroguing the Parliament, which is always done by Record by the Great Seal, or done in the Lords House, by the King in Per-'fon, where it is entered as a Record. The power of pronouncing the Adjournment is certainly not in the Speaker. If it were fo, black may be made white, and

white black. May not the House, in great humility, after the King has fignified his pleasure of Adjournment, offer him reasons for sitting a longer time? And how can you do that, if Adjournment must be made "immediately" upon fignification of the King's pleasure? There is no way of adjourning or diffolving the House but by Record. I am bound, as I am the King's Serjeant, by oath, to maintain the Prerogative, and I am under another obligation here, as a Member of this House, to maintain your Privileges, which I will do with my tongue. If this be, shall the House be adjourned, and not adjourned? Shall the Speaker do it, and the House not do it? When the King opens a Parliament, what does the Speaker first crave? Liberty of Speech. King calls us, by Writ, Nobiscum consulendum, and how can treating be without speaking? The case may be of fuch an importance, after Adjournment fignified, as to induce an humble Address to the King from the House; and how can that be done, if the House cannot speak? I have heard fay, in former times (though not in fo good ones) "What if the Speaker have a dormant Meffage to adjourn the House?" I am obliged to speak what I have done, come what will come of it. If the whole House conclude the thing, there is no wrong done. have fat here in feveral tormenting Debates, and never fo unnecessary as when started between the King's Prerogative, and the People's liberty, which I take not to be the true state of the Question before you.

Mr Sollicitor Winnington.] I am obliged to maintain the King's Prerogative by the place I hold, and the Privileges of this House as a Member of it. I will first state that which we all agree to, and then that wherein we differ. The King's Prerogative is undeniable, of adjourning, proroguing, and dissolving of Parliaments. The Lords House is a Court of Record, as to Writs of Error, &c. This House is no Court of Record, because it can give no oath, but I am unwilling to say what this House cannot do. The present case is a tenderness about our Privileges. All are satisfied that the De-

bate concerning ourselves is not worth the while—As to the King's power of Adjournment, &c. he may do it in Person, and by Commission; and that Adjournment will be to your disadvantage, as many learned men say, " it amounts to a Prorogation," and fo you may lofe the advantage you now enjoy by adjourning yourselves, by the King's command. I find the matter thus stands upwards of fifty or fixty years. 'Tis hard to find any Adjournment by the King's command, but always by the Great Seal, by Commission under the Broad Seal, not by way of Message, the King speaking then by Record. This Adjournment by Message is for expedition sake. Though feveral ages may differ in form, yet the rule of right is still the same. Many times a Message of Adjournment is fent by fign manual only, to prevent the ceremony and state which (being done under the Great Seal, in the Lords House,) it would occasion. The King's pleafure, under his fign manual, is reprefented as a Summum jus, and to be obeyed as a matter fent by the Great Seal, for in half an hour's time the Great Seal may be had to do it. I find that Mr Waller puts great weight upon liberty of Speech, and fays, "Would you have the House melt their Privileges into the Speaker's Chair?" 'Tis possible you may not adjourn upon the King's command, but 'tis probable you will, because the King in a short time may compell it. If this Question be put, that has been proposed, it must be for some good end, or to some purpose. No ancient Parliamentman can fay that ever fuch a Question was proposed. I fear it will prevent good Correspondence betwixt the King and us. To fay that the Parliament is willing to fit tome days longer than the King has fignified they should, looks as if we would take a liberty to do what the King would not have done, and fo the confequence must be the Adjournment by the Great Seal, (and not by Message) or the King in Person. Therefore I press for a good correspondence, that we may always comply with the King's Message for Adjournment, having always done fo. As for Sir John Finch's case, should the

the Speaker say, "He had a Message from the King, and he would adjourn the House," or say, "That he had a private command from the King to do it," there would be no end of that. But when the King sends a Message for Adjournment, under his sign manual, when was it ever denied? All that I propose is that jealousies may be laid aside betwixt the King and Parliament. The manner of the King's proceedings in these cases is not as between man and man; which makes many a plausible argument in this case fall to the ground. The thing was never contradicted, and we argue but for what is not tanti. It looks as if there was a difference betwixt the King and Parliament, and I would have no

Question put upon it.

Mr Williams.] Though I have not a Gown on with Tufts, (reflecting upon the Sollicitor's Gown,) and am in no office of the Crown, yet I am bound as much by my Allegiance to preferve the Prerogative of the Crown, as if I had. 'Tis agreed on all hands, that the King may adjourn, prorogue, and dissolve Parliaments. So there needs no dispute of Adjournment and Prorogation; 'tis well understood, so that the King cannot adjourn one House, and suffer the other to sit. Every step the King makes in an Adjournment, is matter of Record. The King may adjourn the Terms, but it must be in form regularly, by Writ under the Great Seal, read in the Court fitting, and then the Adjournment is pronounced, and nothing can be done afterwards. this is still by matter of Record. But confent is implied by it, express or tacit. That which provoked Gentlemen at these last Adjournments was, that several Gentlemen stood up to speak, and the Speaker would not hear them speak. I am for the Question.

Col. Birch.] Those that spoke most to the point have industriously avoided the sore place, relating to the King's power. But if this matter perpetually must be a difference, the argument goes the other way. 'Twas told us, upon making our last Address to the King, 'That there was no such thing ever done, but when

**fwords** 

fwords were drawn;" but we might then have showed precedents of fuch an Address, if they had been required. Had we then presented the King with these precedents, to clear ourselves in that matter, we possibly might not have had fuch a Message at last. Suppose any Gentleman can tell us of any exploit of the French King, and an Adjournment is commanded, must we not debate it? The word of "adjourning immediately" has been used but twice in my time; and I am always jealous of a new word. Must the King and Kingdom be in danger, and we not debate it? No doctrine can be more dangerous to create a misunderstanding betwixt the King and us. I have heard here, formerly, that the Lords and we fat together, and one Adjournment, or Prorogation, ferved the turn for us both. If the Lords cannot be adjourned without their own confent, (as, it feems, they have entered it into their books) and if we may be adjourned without our consents, then there is a clear alteration of the Government. We cannot be supposed to disobey the King's command, but if it be to fave the King and Kingdom may we not debate it? I would not have the Lords and us upon two bottoms in this matter.

Sir Philip Warwick.] I believe it not intended, but this may prove infidiosa quaftio; this has made me in my heart against this Question. The Lords did never, in any age refuse to adjourn, when the King signified his pleasure to them by a Minister of State. It can never be found that the Lords denied it. I would avoid the

Question, and adjourn the House.

Sir William Coventry.] I am glad that this Debate is separated from your own person, Mr Speaker. If the Debate has held so long, 'tis some excuse to the Speaker, that 'twas a doubtful case. The King who, calls us hither by Record, sends us not away but by Record. If the King required so immediate an Adjournment after signification of his pleasure, as some Gentlemen would have it, we needed not have come hither, but it might have been done in the Banquetting-House. That point of the King's power of adjourning the House is

but of doors, and yielded on all hands. But I hope the King has never had, nor will have occasion to suspect the obedience of this House to his commands. Those kind of Adjournments from day to day, and time for eating, and drinking, and keeping Holidays, are as ancient as ever fince Parliaments have fat. But it must be understood, that the House has that power cum grano salis. We cannot adjourn for any long time. The point then is, that the act of adjourning is purely the act of the House, when done here. That we must obey the King is clear, but how this obedience is to be performed is the Question. If by the pronunciation of the Speaker alone, without direction from the House, tis dangerous to the whole constitution of Parliament. If after twelve of the clock no new business is to be flarted (which is an Order, and the Speaker has the House on his side) and the Speaker rises up to adjourn, and will hear no man speak, though the matter be of ever fo great an importance, or the confequence extraodinary, furely you would not fuffer it. Any inconvenience of refusing an Adjournment, when commanded by the King, is answered by a Gentleman of the Long Robe, viz. "The King in half an hour may do it, by commission under the Great Seal." Suppose an Act of Recognition should pass, or the taking the Oath of Allegiance and Supremacy, the Question must be put three times, according to Order; and can any man imagine there will be a Negative? There will be terrible inconveniences, if it be the other way. Some Gentleman may rife to speak, not to hinder nor oppose the Command of Adjournment, but if heard speak, would have moved for the Adjournment. It is a fundamental rule of the House, "that the House cannot be concluded in any thing as long as any Gentleman flands up to speak." That respect is had to the Gentleman that stands up, to suppose, that possibly he may fay fomething to give you new light into the matter coming to the Question, so as to change the whole thing. It is not known what a Gentleman will fay, till he speaks. But if the Speaker will not give leave to the House to vindicate their obedience, here is such a power taken from you, that the Speaker, by the same reason, may take the Thanks to himself that the whole House deserves for their obedience to the King's commands. I desire that the Question may be put.

Mr Waller.] Abusus juris non tollit jus. Much more the imagination of it does not. I would willingly have these shackles from our heels, before we go about to defend our neighbours. This is not the way to have a good understanding betwixt the King and us. Will the Speaker make Children of us in the Adjournment? They are asked, "Will you be baptized into this faith?" But not without Godfathers. The King says, "we shall adjourn ourselves," and the Speaker does it.

The House was then adjourned, [on a division, 131 to 121,] but not the Debate, and no Question was passed upon the matter of the Debate.

# Monday, February 1.1.

Col. Birch brought in a Bill for fettling a public register for lands in the leveral Counties of this Kingdom; [which was read.]

Serieant Seys.] When you throw out a Bill, 'tis that the design of it is unprofitable. The design of this Bill is profitable, and Experience shows it in Holland, and in Scotland; in England, at Taunton Dean. Not that Gentlemen bring in their Deeds of 30 or 40 years before, to be registered. If possession has gone on quietly for so many years, the Law gives a man a title. If any man will alienate his title to another, a register secures him. Much money lies loose in the Kingdom, by frequent frauds men meet with, and that is the reason land sells so cheap. Money is got amongst the Brokers—Removing of money is no objection; but that the Bill may be mended at a second reading, and if not, then you may reject it.

Sir Thomas Lee.] As you have formerly done, I would have you do now; adjourn the Debate; and then a Committee of the whole House may consider how far you alter the Law in being, and put mens deeds in danger of forgery. Lawyers can make but half an intail to the son, but not to the grandchild, to avoid a perpetuity. You may else stop the sale of land, and make all dealings in Mortgages. Perhaps the charge of entry of every lease into the Register, be the bargain ever so small, may be not worth entering, or will the loss, for want of a Register, be a greater charge than the inconvenience of not registering?

Sir Thomas Higgins.] I am not prepared to speak to the merits of the Bill; I have not heard it read; but I am for retaining the Bill, Many Gentlemen are for the thing, but not for the Bill; 'tis a reproach to the Nation to have been so long without such a Bill. In Turkey itself all bargains are registered, and 'tis reasonable that something of this nature should be done, now we are entering into a War; and since money is to be raised for it, nothing would more encourage the people to give it. When bargains are without Register, all the Counsel in England cannot assure a man a good bargain, if persons that sell land are not honest; therefore I am for the Bill.

Col. Birch.] When I brought this Bill in, I thought it feasonable; when I see all the blood of the body brought to the head, all the money of the Nation almost brought up to London, and here it lies at 4 l. or less per cent. and men cannot bestow it. I brought this Bill in out of the result of all the Papers I have seen. I begged you formerly "not to put the child to a nurse that cared not for it." For it was formerly committed to two lawyers, and the thing was lost, as this will be, if committed to the whole House, as Lee has moved. I have showed this Bill to ancient lawyers, but to no young ones. I desire that neither the Bill, nor he that brought it in, should be lapped in a bear-skin, to be worried. The Vol. V.

thing will speak itself to be no project, and I move that

it may be committed.

Mr Garroway.] As for the Bill, I cannot fay much to it. I heard it not read, but to prevent difficulty in fearching for incumbrances upon Estates, the most learned men know not what to fay to it; which makes me incline to Registers. But 'tis most dangerous to register Evidences, to let them be feen. Gentlemen may think they have good estates, and when lawyers come to see their Evidences, perhaps they may have no Estates at all. But if there be such a Bill, ('tis no matter what the title is) if those that have incumbrances, claim either Dower, Statute, or Mortgage—Let the incumbrances be registered that are real, and such a Bill I would be for. Tis for your fervice, if done foberly and discreetly—And fo you may make all those secure; but to discover writings, if this Bill be fo, I would not endure it. make Bills and Bonds affignable upon countenance, to turn them into the Exchequer, and so have a quo minus— If the Bill be fo, I am against it, chose en action.

Serjeant Maynard.] He that claims an Estate, to put him to register all his Estate, Lease for Life, or any claim!—I am not against Registers of Estates—But if there be a Mortgage, or Incumbrance, upon an Estate, if there be a Register for every man's name, what is it? It is certainly security to any man for his money.

Sir Richard Temple.] I concur with the Serjeant for the end of the Bill, but not for the manner. The Bill begins fairly, and does propose "voluntary" Registers, but ends with "compulsory." The Bill makes not bargains good of those that register before you—I like not

erecting new offices.

Mr Williams.] This Bill will shake the ancient inheritance of England. Two things it has in design to prevent, Frauds and Forgeries. This must issue upon it; you must produce all your Conveyances. Possibly a man may lose a Tenement or two upon a weak title; but this will expose all my Estate, and Counsel must be consulted, before my title is registered, and so it must

be exposed, and the lawyers will come to have a fair proportion of our Estates. Possibly the Sollicitor that views the Conveyances may be a weak man, and he will advise you to register the longest Conveyance, or a knave, that has a relation of his own concerned, and so may expose the Estate. I could speak till to morrow morning of the inconveniences that would follow. What is up now may be down to-morrow, and an Earthquake 'Tis better that a dormant right should on Estates. fuffer, than an ancient possession be disturbed. 'Twas the wisdom of our ancestors to quiet Estates, and not to disquiet them. We must be equal betwixt the ancient freeholder and the purchasers. Incumbrances that may prejudice purchasers are Statutes, Judgments, Mortgages, and Leafes, and these are often kept in the dark, and incumber the purchaser. Judgments are upon Record, and so are Statutes; Mortgages and Leases are not. If a Bill may be for some public Entry of Mortgages and Leases, I am for it. If any man come to make a Conveyance, and if there be a prior Mortgage, or a prior Lease, Register will not do your work. For that of Statutes and Judgments you may rectify by Entries. But the remedy must be a severe penalty to make the person a great offender, if upon second sale or contract, and that will do the business.

Sir George Downing.] Every man's Estate is the worse for the fraud and deceit of another. Something of this kind is necessary, and I would not lay aside the Bill.

Sir Robert Sawyer.] I think this Bill of Registers may be of great advantage to the Nation, and I would take this handle, whilft we may take it. I would have it thus, "That no clandestine incumbrance, or deed, shall take place of any purchase for a real value, nor have the priority unless registered." Why should a clandestine title be set up against a purchaser, who cannot foresee it, and is an honest man? But if a Register be of the last deed, which shall be good, and to throw away the first deed, and all unregistered to go so far only as to have preference and priority, and if registered, to

take its place; but no incumbrance unregistered to be

of any value, - fo far I am for the Bill.

Sir Henry Capel.] That fellers may fell their lands, and purchasers may purchase safely, I desire the Bill may have a second reading; and by that time persons may be prepared to speak to it.

The Bill was ordered to be read a fecond time \*.

# Tuesday, February 12.

The Bill for the late King's Interment, &c. was read the first [and ordered to be read a second time. Adjourned to Thursday.]

# Thursday, February 14.

Sir Thomas Lee, reports, from the Committee appointed to confider the Estimates, &c. That the monthly charge of setting forth and maintaining 90 Ships of War (as above p. 107) together with sireships and tenders, manned with 25,562 men, will amount to 108,840 l. 10 s. inclusive of the Office of Ordnance and of necessaries for sick men on board; and that the total expence for one month of 26 Regiments of Foot, 4 of Horse, and 2 of Dragoons [in all 29,880] amounts to 49,130 l. 13 s. 4 d. Total per mensem 157,971 l. 3 s. 4 d.

Sir Thomas Chichley, Master of the Ordnance, gave in an account of the charge of Arms, Fortifications, and Train of Ar-

tillery, on account of the War.

Sir Thomas Clarges.] If we are so defenceless, as not to be able to arm 30 or 40,000 men, we are in a very ill condition, and very deplorable. For so many Regiments as are voted, I would have enquiry made what Arms are in the stores.

Sir Thomas Chichley.] If those Arms in the stores are removed, we must have a Supply to fill up the stores.

Mr Secretary Coventry.] I would have it enquired whether the things in Chichley's paper are necessary, or whether those necessaries are over-valued. Will a man fay, that, because his sheet-anchor is the best anchor, he shall cast that out first, and not save it for emergency?

\* Such a Bill has been often Counties are Middlesex and York-brought in, but as often rejected, shire.

fince. The only two registered

Sir Tho. Meres.] I fear we do not follow Coventry's advice, for we have at first "cast out our sheet-anchor." We have given all we are able to give at first,

and more, all the strength of England.

Sir Charles Wheeler.] 'Twas faid once, when we gave 600,000 l. for the Navy, "we would give fo many millions for a War." I have as great fadness to think what the War will cost, as any man, but with as great fadness, not to provide necessaries.

Sir Thomas Meres.] Before we agree with the Committee, and make it the opinion of the House, I would consider how to raise this money, and whether the Na-

tion can bear it.

Mr Secretary Coventry.] If the Nation cannot bear it, our Allies will not join with us, and there can be no War. God forbid any thing should be done, that the Nation cannot bear!

Mr Mallet.] I would have the Debate adjourned, that the King's Ministers may consult their Masters, whether we are to have a War, or no War, with the French King.

Mr Secretary Coventry. The Committee has confidered of the charge of the forces, and reported it back to the House, and all the forms are gone through, and nothing could be more regularly enquired into; and I can see no reason, why you should not put it to the Question to agree with the Committee, unless a reason

be given that it should be re-committed.

Sir Thomas Meres.] These forms gone through have greatened your sums, considering that 90 ships are demanded, and there is need but of 50. Let Gentlemen think that here is 150,000 l. per mensem for this, a tax in being, and four more such as these, with the late King's burial; sive concurrent taxes together, and now 'tis two of the clock. Let the thing come fairly before us in a full House. I have told you there is a rock, there is a difficulty; I have told you of it, run upon it, if you please.

The Committee was agreed with as to the Navy Charge, [on a division, 135 to 102.]

Debate on the Land Charge.

Mr Swynfin.] You are not informed certainly as to the necessity of Land forces, for supporting of the Alliances and Treaties, and therefore these are of far different considerations, and there is an obligation upon us as to that of the Navy.

Mr Secretary Coventry.] I speak to Order. The thing is voted in the House, and so there remains nothing but how to raise the money for the Land forces; so that Swynfin

speaks against a Vote.

Mr Swynfin goes on. ] The Vote is in respect of an actual War with France; if put to the Question. If not an actual War, this Army is not necessary, and there is nothing in that Question, to tie you to an actual War, when 'twas put for the Navy charge. But as to the Land army, 'tis out of this confideration. The Supply for the Navy may be out of the Customs; you have no help for this out of any revenue, and the country must bear it. You must have some other considerations. When you provide an establishment for the Navy, you are to provide for fo many mouths, fix months, or some estimate; but who can make an estimate of a limited time for an Army? When an establishment is made for an Army, there is no limitation that can be observed. Ships return into port at an unusual time, and may be paid off. I rather offer this to you because I cannot find it in the History of England. (Other Gentlemen may.) The King of Spain was once as powerful and dreadful to England as the French King is now, by the advantage of the Pope's countenancing him, and the rebellion in Ireland, which favoured him. But I know not that the Queen and the Commons ever raised an Army; they only set out a good Navy. I am not for an Army, for the King and Kingdom's fake. I reflect not upon Commander nor Soldier, but I know that it is incident to mankind to adorn his own province. When once 'tis raifed, no man knows when 'twill be laid afide. 'Twill be a strange thing, when we tell the Country of a Land army; 'tis a reflection

reflection on the whole Kingdom. Before we certainly know what use it must be applied unto, you never yet raised a Land army. I do it out of a sincere and honest mind. I would have you seriously consider what we do, before War be declared—Many will run into this Army, but whether for your service, for the good of the Crown, or the laws, is a dear Question to us; and I would have

it seriously considered before we enter into it.

Mr Secretary Coventry.] The Question is, whether we should establish a fund to maintain this War, before War be declared. 'Tis the general approbation that 14,000 Soldiers are requisite to be sent into Flanders, and will you have nothing to maintain them in Flanders, when they are there? There is the greatest consternation imaginable, by reason of the approach of the French King, &c. and will you begin a War before you have a Soldier to meet him? You have been told, "That Queen Elizabeth raised no Army, in the Spanish invasion." I hope in God we shall not be so unfortunate as the Queen was, to be furprized by the Duke of Parma and the Armada, and know nothing of it till feen off Plymouth, and they were ordered not to attack till they came near the Isle of Wight. Queen Elizabeth had the trained bands raised, but had officers of her own chusing. She attacked Britanny with them, in succour of the Protestants, and I know no difference between them and a new-raised Army. All these things have been debated for fecuring the Islands of Fersey and Guernsey. Combats at sea are casual and accidental, and will you have no Supply of men for that; and leave all your Coasts unprovided; and will you provide only for the fea?

Sir Thomas Clarges.] The Question is now betwixt a "moving" Army, and a "standing" Army. 'Tis agreed for a "moving" Army, and now we are debating a "standing" Army, and, for Swynfin's reasons, it ought to be considered. I will resect backwards to 1664, when the War begun with Holland. Then we gave two millions, &c. and I believe all our difficulties since

were the refult of that great fum. Then there were only raised two regiments: And the Horse Guards were made up and so continued to 1665 and 1666, and we had both France and Holland upon our hands at a time, and then the French had had a long Peace, and were very rich, though not fo rich as now. I believe they are upon their last strength. In 1666, we gave a great deal of money for a fleet, and 12 regiments of foot—This was a small establishment to what you have now; 12,000 Horse and Foot, and no body to cope with but France—And what this great Army must be for, I see no reason. I desire to be very thoughtful in this matter. 1000, in every regiment, makes 90 foot in every company; you will not fay officers are not foldiers. When regiments were raifed formerly, I never knew above 90 in a company. Weigh this matter well; you have a great force already. I will not mistrust, or sufpect, the Government, but that all the Isles, and Plantations, are provided for. I have heard it faid, "That these are Treaties of Leagues, but not of Ratification, which is very different." I move not to agree with the Committee in the Question.

Col. Birch. I Suppose he that spoke last does not know the Treaties, but I hope we shall, before we part with the money. If any gentlemen offer you how to be fafe and fave your Money, you have your ends. I know not how, by Order of the House, you can put the Question. In contemplation of a War, I would willingly confent to fourteen or fifteen thousand men to be fent over into Flanders, in good order, to maintain the League; but till I know 'tis ratified, I cannot fay it is. As for these foldiers that are to go abroad, I can give my confent that they should be raised, but as for those that are to stay at home, I know not what to fay to it. Nothing can be worse than to put distrust among the people. power of the King of France is not so bad. You will never have success, unless you obtain confidence in the people, that these forces shall be employed against the French—Draw the Militia then in a body; let 2000 of them

them be in Dorsetshire, and Devonshire; that will show the French you are in earnest. You have 12,000 already, and to add more will show that your trained bands are useless, and laid aside. But for taking this Army down, when 'tis raised, I need not say any thing. have disbanded as great a one. I take it for granted that 2000 Dragoons are to be here, but if I show you how they shall not cost you a penny, I think it good management. The use of Dragoons is for a pass, or a hedge-fight, and for that they are useful. I never had any Dragoons under pay, and yet I never wanted them. You have 110 men in a company, and commonly ten Horses to the officers, and six fellows to look after them, and that is 100 Horses in a regiment, and clap choice fellows on their backs, (and you have choice fighting fellows that will not run away with your Horses) and there is no danger that the officers will run away, though I durst not trust myself to be out of the reach of my Horses. Possibly every Gentleman knows his own mind, and I would give my consent for the men to be fent abroad, but not for a ftanding Army at home.

Sir Thomas Meres.] If there be no fuch thing appearing as ratifying the Alliance, I would know that Secretary Coventry said, "That he believed it was ratified, and the King told him he gave orders for it." I would agree with the Committee as to the forces to

be landed in Flanders.

The Land Charge was agreed to, 147 to 131.

#### Friday, February 15.

An ingrossed Bill from the Lords was read, for explanation of the Act for preventing dangers which may happen from Popish Recusants, viz. "The Test dispensible in case of sickness, &c. In case an action be brought against a man for default of taking it, if he take it after the action is brought, he shall be exempt from the penalty of the Act, &c."

Mr Sacheverell.] If Gentlemen think the other Act for the Test was sit, and now have altered their opinion, then this Act may go on. Let us see in what circumstan-

ces the case stands. By the former Act, the person, in any office of prosit, or trust, &c. was to take it three months after, if disabled by sickness—But in this Bill he stands good, &c. till the action be brought. I would gladly know how the party shall be able to prove his sickness six months, and will then, &c.

Sir Charles Harbord.] I have always been for the Church of England, and I will die in it. If I have taken the Tests forty times, must I take them over again? A man must be perpetually under the trouble, if the

Law be not explained.

Sir Thomas Meres.] This meddles with a Bill of touchy matter, if you mend your former Bill; and if half this

Bill be retained, you destroy the other.

Sir Edward Dering.] This Bill intends only to explain that part of the other, of the frequency of the change of the Commissions of the Justices of the Peace; but if a man have other offices, he is to take it as often as he has a new office.

Mr Mallet.] This Bill for the Test that you formerly passed, was intended for a streight, and has done you good service. 'Tis a good weapon to dethrone the Pope. This Bill from the Lords is a relaxation of the old Bill of the Test, and now we are to have a War, and who must be officers? The King issues out the Commissions, and appoints the officers that must go abroad, and they would be certain and know their Colours. I would have it so as to justify my principles against Idolatry, and I would rather put strict clauses into the Commissions against it; for I hear that persons popishly affected will have Commissions; therefore I am against the Bill.

The Bill was rejected, on a division, 151 to 73.

Mr Powle.] I am glad to fee the inclination of the House to strengthen the Protestant religion, and I hope it will continue. I move therefore to send up to the Lords, to put them in mind of our Bill of Popery, that we may give the Country some account of the delay of it.

Sir

Sir Thomas Lee.] You have fent several Messages to the Lords about that Bill, without effect. I would move the Lords with a Message, for a Conference, and there, put the Lords in mind of it.

Sir Tho. Clarges.] Nothing may be fent by Message to the Lords, but what may be done by Conference, and

'tis the more decent way to do this.

The Speaker.] I would know what you would confer about. You can take notice of nothing that the Lords have done in their House; and your former Messages have not been taken well. If it be done, the Lords may do the same upon us, and it may be very inconvenient.

A Message was sent to the Lords, [by Mr Powle,] as moved, &c.

[A Motion was made to bring in a Bill to enforce the]

burying in Woollen [with farther penalties.]

Mr Waller.] Our Saviour was buried in Linnen. 'Tis a thing against the Customs of Nations, and I am

against it.

Mr Secretary Coventry.] Great men of the Romish Religion desire to be buried in the habit of some Order that they devote themselves to, some the Franciscan, some the Dominican, but all in Woollen. I fear this Bill may taste of Popery.

[A Bill was ordered to be brought in accordingly.]

Debate on ratifying the Alliances \*.

Mr Secretary Williamson.] My indisposition detained me from my attendance here, yesterday; and I had not been here to day, but for something that the House, (as I hear,) had a desire to know, and seems, unsatisfied that the Alliances are not ratisfied. I am to tell you that the time of ratisfication is given, and that time is scarce half out. But the King has sent them into Holland to be ratisfied there.

Sir Thomas Littleton.] The stress of the Question is not there. The main query is not, whether Holland

<sup>\*</sup> This Debate is not mentioned in the Journal.

will ratify, but whether Spain be a party to it, whose main concern it is with us to support the Spanish Netherlands.

Mr Secretary Williamson.] That Question formerly was asked. Whereas then it was doubted whether any provision was made for a standing Alliance with Holland; now whether a distinct Treaty with the States General apart from Spain. Whether the States have ratified the Treaty I know not; only I know from the King that

tis gone to them.

Mr Secretary Coventry. When the King gives full power to his Ministers, they may ratify Treaties. But when they ratify, and have not full power, exemplary punishments are never denied. No one man can show a precedent that, when Ministers have signed here, it was ever not ratified by Holland. There a longer time is required for a ratification than here; for the Treaty must be sent to all the particular States of the Provinces. It must take a greater turn there to have it complete, which here the Great Seal does only. If Spain be a party to the Treaty, he is to furnish money to the King, or the States. I have it from the Dutch Ambassador, that a Vice Admiral is to be sent hither to proportion how many ships are to be fent into the Mediterranean, and how many into the North, and they have taken the business so much to heart, as to have ninety fail out in the whole, as well as we.

Mr Garroway.] There is no great difficulty, I believe, in this of Holland, that we are told of. But in all my reading, I cannot find that a person is not taken into that Treaty, for whose sake it is done, or that he is no

party to it.

Mr Secretary Coventry.] The Crowns of Sweden and Denmark were in a War. France, England, and Holland, perceiving that would be a prejudicial War to them, forced Peace upon them. In that Treaty made with Holland, now gone to be ratified, I aver, upon my honour, that the Duke of Villa Hermosa is entirely satisfied with it, and the Prince of Orange; but if you

stay till all the Allies are satisfied with it, you may stay

a long time.

Mr Boscawen.] If that be the case, to force France and Spain to make a Peace, we shall have little satisfaction by it.

### Saturday, February 16.

A Bill to prevent the Exportation of Wool [was read the fecond time.]

Mr Waller.] Heretofore it was made felony to export Wool; and Herrings were not to be transported, for fear of want of them ourselves at home. Bullion is now transported; it is now a Commodity. We are to go in Woollen into our Graves, but I would have the living wear it. I would have Jersey Stockings worn. An hundred years ago, a King of France had a pair of filk Stockings on at his Wedding, and it was wondered at. You will have more Wool for parting

with it. Sheep will increase.

Mr Love.] I would rivet this matter fo as to accomplish your end by it; that the Woollen Manufacture may be recovered. I would have those that are not for carrying your Wool out of England, show how it may be wrought in England; and encourage the making and wearing it. If they from beyond Sea have the Wool from hence, and work it up cheaper than we, that will destroy the Manufacture here. There is a vast mischief in taking Cloth away by violence, by the Patent for Aulnage, and the Allum Patent, which there is a Petition in the Lobby about. In all the time I lived in Turkey, which was many years, I never faw any Dutch Cloth there. I would have a Committee appointed to confider of a way of taking off the great clogs on the Woollen Manufacture, by Patents to feveral persons, whereby they seize Cloth; the Patents upon Aulnage, Allum, and other dying stuffs.

Sir Edward Dering.] Wherever materials go, hands will go after them. If we vent our Wool beyond Sea, we cannot vent our Cloth. I would have the Com-

mittee impowered to find a way to secure the wearing it at home. Sumptuary laws here have lately had no effect. The people have been in jollity and gayety since the Restoration of the King, and 'tis no wonder that they are wanton in their plenty. I would commit the Bill.

Mr Papillon.] Heretofore six or seven hundred thoufand pounds worth of Woollen Manusacture was vented
in France, but since they have had our Wool they
take little. If you would not let them have your Wool,
you might work it yourselves. There is another thing;
the Irish Cattle are prohibited coming hither. They in
Ireland formerly employed three parts of their land in
Cattle, and now they employ it in Sheep. They send
their Wool into France and Holland, and send you over
great quantities hither. This is the reason of your

fur-charge of Wool.

Col. Birch.] This is a day well fpent to debate this matter. I will offer my opinion. 'Tis the last thing I would do to give leave to export Wool; for I would try every way first. If ever you discourage the importation of French Commodities, you must destroy them where you can find them, as they fay the French have done by our Woollens. One Commodity more ruins us, and that is Callico, which destroys more the use of Wool than all things besides. You encourage trade thereby with Heathens, who work for a penny a day, and destroy Christians; and the French, who fcarce eat flesh four times a year, and wear linnen breeches, and wooden shoes, destroy your trade by underworking you. That of Ireland (fpoken of) is but a minute thing in comparison of the rest. You pay 100,000 l. a year upon account of very kitchen-maids who will wear hoods and scarves, and they must be of glossy silk too, made from beyond sea; and you hinder above 100,000 l. a year, that may be fpent by fuch persons in hats, as they formerly did wear. I would have the Committee consider of these things.

Sir George Downing.] I would have it as instructions to the Committee to consider the taking off the 25 l. per

Ton upon Allum here, and the 14 l. per Ton in France, and they fend it you cheaper, &c. We are a dying nation. (quibble) I would likewise have it considered how to constrain the French to export our goods, at the value they import hither, upon security given, and sufficient proof to be made at the Custom House, that he has carried into France as good value in goods as he has imported.

[The Bill was ordered to be committed.]

Sir John Ernly.] There is a Gentleman in the House who will tell you of Embargoes the French have laid upon our Merchant-ships in France. 'Tis in God's power, and your adversary's power to do you all the hurt they please. Therefore I move for Monday to consider of the matter of Supply. ('Tis my duty to put you in mind that we apprehend danger.)

[Monday was agreed to for the Supply.]

# Monday, February 18.

Debate on the Officers, &c.

Mr Secretary Williamson.] I have received a paper of an establishment for General Officers, and the Ordnance, omitted in the former paper delivered you. I desire it may be read.

Sir Thomas Meres.] I would not have that paper infifted upon, left we should lay aside the whole that has

been formerly tendered concerning the Army.

Sir Thomas Clarges.] I would now confider the proportions only, and the War, upon presumption of making the War. Other things may be considered in winter, when we meet next.

Sir Robert Carr.] I second the Motion "to enable

the King to Support his Alliances by our Supply."

Sir Thomas Clarges.] My meaning is not only "to fupport Alliances," but, by Vote, "in case of a War." The House divided upon that Vote, and it passed in the affirmative.

Mr

Mr Secretary Coventry.] You have declared it necessary to support the Alliances, which the King has entered into, for stopping the growth and power of France. The French have a Fleet at sea, and an Army by land, and you have neither one nor the other in any posture of defence. If you give not the King encouragement to provide for himself, you will neither have a Fleet at sea in June or July. If not provided, you declare yourselves incapable to do it. If you have voted it necessary and that you are not able to do it, you declare to all the world, that the nation is not able to perform their engagement.

Sir John Knight.] Moves that the Votes may be read of the ninety Ships of War, and of the Regiments, Horse and Foot, &c. requisite for this War, &c.

Mr Pepys.] I told you in January, that, all of us doing our part, the Fleet might be ready in May; and how long that is fince, you know, and our neighbours have gone on fince. Be pleased to remember the Report made by the Committee for Supply, necessary for supporting the Alliances, and I would have the remainding part disposed into that paper presented you, and consider it.

Sir Thomas Meres.] I would know who are our Enemies. I know not who are, by any thing I have heard yet.

Mr Pepys.] I take him to be your Enemy that you would support against, and that hinders your Alliances.

Sir Thomas Meres replied. Perhaps the King of

Spain is.

Sir Charles Wheeler.] I hear it much pressed for a War, and we are like to pay dear for it, and will you not call it so till a battle be sought? Especially when you are secured that you shall have the word "War" appropriated to every part of the Money you give towards it. I take us to be in an actual War—So many Ships, &c. and the Aid we give is towards a War, and is a War; such a one as we cannot get out of. If you will have War, and Land-men, I hope you will have all

all things necessary to it; as a Train of Artillery, and an establishment for General Officers.

Mr Ma let.] I would be cautious, when we raife an Army, who shall be their Conductor, and what they must do, seeing that Alliances are not yet declared.

Sir 7 bn Birkenbead. It is not always requisite in War, that there should be denunciatio belli. If the King of France goes back from his word, there needs none of that, by Law of Arms; as in the Peloponnesian War-When 4 or 500 men declare War, and the King gives his consent to it, the King of France will ask you no more, nor give you more time to think of it. 'Tis now an actual declared War.

Sir Edmund Jennings ] I shall not much dispute the War; but I am perfuaded that it is War, and fully intended by the King; and if this House assists not to it, the fault will be ours, and let not that lie at our doors. You have computed the Men, Ships, and Charges: 160,000 l. per Month. I would agree to how much, and agree how to be raifed, and in what time, and have

the Speaker leave the Chair.

Mr Mallet.] I think you took those Calculations, that were brought you for the Charge, of the Army de bene effe, for hypothetical Calculations. In relation to Alliances, if those Alliances were good for you, and how to mix your other advice; but if on good Debate, you fee no War, then you have other Calculations to make. The King has been at some charge already about Alliances, and marrying his Niece, and Lord Offery's going over \*, &c. to defray Charges-All this may be confidered at a Committee of the whole House.

Col. Birch I would not, by default of the House, be taken unprovided. You are told by Pepys of January, and "that now 'tis the 18th of February and no step is made

towards

<sup>\*</sup> The Earl of Offory arrived at the Prince of Orange's Camp the day before he raifed the Siege of Charleroy; which made many think a call of Lord Arlungton's, to present that something his Lordship brought from England was the occasion of it:

But I (says Sir William Temple)

\*\*But I (says Sir William Temple) VQL. V.

towards our defence, and we have enemies upon us, as we had then, and they have increased their strength." For my part, I told you then, that, in case we had a War with France, ninety Ships were few enough-And I know not how 'tis applicable to raise Money by the Month to maintain them. Pepys has told you, " Now 'tis the 18th of February, and not one step made." I understand it not; for the very same hand told you, " All things for the Navy were ready;" and wear and tear is not accounted for, till the Ships come in, in September. (And as for the Victualler, that is not great.) You ought not to be told this, for there is nothing you have not done that hinders this. As the fafety of the nation, the fleet, is not to be hindered, though we have nothing yet of revelation of this Treaty. I am far from thinking this House will not aid the King to a farthing, but you may be put upon raising such sums of Money, as may hinder you from raising more, if there be War indeed. Now, whether we are fatisfied to raife Money without fuch a revelation of Treaties, is the Question. Birkenhead spoke it in Latin, "that War was declared, &c." which I do not understand; but I should be loth to fight with the great man on the other fide of the water, without telling him why. But, it feems, the French Ambassador is still at Court, and every where, as if no War was intended. Therefore clearly, when a War comes, it will be as effential to provide for our defence, as our all; every thing we have. I am ready to provide for fuch a fum as will be honourable for fuch an employment. I would read every paper that shall be offered us. Children that are born must be kept, and if it be a War these things must be; the work must be done with Estates, and Lives too; but must this be without Declaration of War? I am for giving fo much Money as will enable the King to that work effectually, if War, and I would hope, before we begin, to carry it to the bottom. Without the confent of Spain, and the German Confederates, I believe we shall do no good in this Treaty. But these things

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will be seen betwixt this and September. But to send men over, we know not whether under a spanish Governor or an English, and whether they shall not be starved, and they shall be with the Prince of Orange, unless such a number as may take the field,—you do but starve them to send them. You are told, "that the King had ratisfied the Treaty with Holland, under the Great Seal," but you are not told yet one word to day of Holland—But till I know that Enemy, I would know him before I part with Money; but having said this, I would not say no Money, but not by a monthly charge, but such a sum as may carry on the War till Michaelmas. But before you go into a Grand Committee, you must resolve such a sum in the Chair as may preparatorily do the work till September.

Mr Secretary Williamson.] If you go by the general words of the Order, "to consider of Supply, &c." that must be the work of the day; else we lose our time very shamefully. I would (as is desired) see all the papers, and have no after-reckoning. It was an oversight and a fault in not bringing this paper sooner, which was presented you to day, but nothing is lost nor got by it. But the matter of this day at the Committee is, what sum you will give the King to support

his Alliances.

Sir Tho. Clarges.] I would have this fubfidium given the King, viz. That for what the King cannot do out

of his Revenue, we may affift him.

Mr Secretary Williamson.] Will a man have thrashing and no sail? The King of Spain did declare War against the French, but he had an Army first. The King makes a Declaration of War, and has no Army, and the French King will let him have none. I believe it will be War, but I said it is in your power to have War, or no War. I say, Alliances are made, and that is it we must preserve. This Morning, the Holland Ambassador was consulted how Ships should be placed, and what station they should be in. You have sew Convoys, and the French King has a Fleet in the Medi-

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terranean, and India; and the King of England goes on and declares War; and, as now we have Commerce with all the world, the French fall upon our Merchantmen, and ruin our trade, and you provoke and declare him an enemy before you prepare against him. 'Tis requisite that the trained-bands (spoken of,) must be exercifed fome months to make them ferviceable. You have all the fecurity of the appropriation of the Money you gave towards the War, that you can have in your particular Estates. If presently you have not a Fleet nor Army, you cannot declare War. You have gone thus far in Estimates for the Fleet and Army, and judged them reasonable. Therefore to go into a Committee of the whole House, " for farther consideration of the King's Supply," and "for confideration of the King's farther Supply" is very different. If it be the former, you go round again, &c.

In a Grand Committee. [On the farther Confideration of the

Supply.]

Sir George Downing. You have voted "that the House will give the King a Supply, to support his Alliances." Now the Question is, what is to be given to carry on 90 fail of Ships, and 30,000 Landmen. This being so, charge so much, (that that lies before you is not a mere speculation,) for what time you will make provision for this charge. As to the fetting the Ships out Birch has told you, and to paying them off, when they come home, and that we be not run out when they come back. I wish our end may be obtained by a Peace, but I would as little get into a bad Peace, as any man here. If now we go away, and provide not for the whole charge, and come back again for the remainder, will that be done like provident men? I would provide for the whole charge of the thing. Christmas feems a more rational time to calculate to, for then the measures of Princes are changed for the following year, and 'tis not prudent to run into arrear till then.

Mr Waller.] I look upon Union betwixt the King and his People to be of as much consequence, as the sum

fum to be given; therefore, for God's fake, let us lay aside all distrust of the King. Mallet said, " some words fell from the King when he quoted us in his Speech, that he desired 600,000 l. to prepare him, &c. when you advised him to enter into Alliances first." In the last War with Holland, we were so far from advising him to it, that we did not approve of it; but yet we gave a good round fum of Money towards it, in respect of the Honour of the Nation; 1,200,000 l. Our Peace with Holland afterwards made the King of France decline his conquests, and there he stopped, and may do fo again, if we aid the Spaniard. Will you give the King a reputation, that so the War may be begun? The rule of the Government is for us to affift, and the King to make Peace and War-Let us rely upon him, and I hope for good fuccess. I hope that Tomb we have voted to be erected for the late King will bury all the jealousies betwixt the King and us.

There was a great silence for some time.

Mr Secretary Williamson. Whilst we sit still and say nothing, you must do something in the Chair, or we shall do nothing; you must either come to a Question, as the Estimates are given in, or go upon a sum in gross. I have faid something to day, and on other occasions, for the King's Supply to maintain his Alliances, and the King would not have it, at prefent, nor will more be taken than in reason shall be seen neceffary to keep this great force on foot, but till you may meet again. But a less sum (to the enfnaring the hand that takes it) than the King can comfortably proceed, and go on with in this great thing, I hope you will not think of. If there be fuch a lethargy upon men, they must be waked. The Sun shines, sets, and rifes, and things go on, as if we were careless, and understand it not. If this War must cost us so much per mensem, the first day's journey is always the longest, and if you consider so much for the months forward, let some Gentleman come to a fum by the months, or a gross fum upon the months, as you shall see cause for it hereVote? You may multiply Questions of Alliances—Though that jealousy is removed, and they are sent to be ratisfied into Holland, and they allow their Commissioners to sign the Alliance here, this being now upon you, and Supply voted to maintain these Alliances, and particulars of the force given in and agreed, this having been done, yet we sit three hours together silent, and do nothing. I see not but a man may propose many ways to find such a Supply to set this work on foot, and for one, two, or three months to have ground to stand upon till about September, and no less than this, upon the best foresight I can have, seems necessary, and more than that the King would not have, and I leave it at

Gentlemens doors who will propose it.

Mr Powle.] I wonder not at the filence of the Committee, if every man is in the dark as well as I. I am fo much in the dark, that I fee not whether we shall have War or Peace. The complection of affairs feems rather inclining to Peace; and I see not the end of the War, by what fell from the honourable persons the other day, only in making this War to impose Peac! upon the World. If that be fo, the Question is, who is our Enemy? If the Confederates refuse to join with us in it, for ought I know, we shall have War against them. If that matter be not clear, I know not what to give. honourable persons know what is spent, and is likely to be spent. If they will charge themselves on their reputations, that it will be fuch a War as will please us, then I would give to maintain it. But I think there feems fome flagging in what was formerly told us. When that is cleared, I shall be as ready as any man to give Supply, &c.

Sir Tho. Meres.] I hear it complained, "That nothing is said in this matter of Supply, &c." You were told of 500,000 l. as a Motion. If the Nation be in War, and at stake, no doubt but those here will go through stitch with it, and I doubt not but that sum will do it. But to show frankness, and discharge my conscience, if it shall be a War to purpose, (but, as it

is faid, in case of resusal of the French to give towns, it may be a Peace for Holland) because I will not spend your time idly, if we give 500,000 l. in case

there be War, we give to purpose.

Mr Secretary Coventry. I think it will be War, if the French King refuse Peace, as he has done. But it will be fuch a Peace as Spain desires. But how will you come by this Peace? Will you have Flanders destroyed in the mean time? If the French find you in power, you may prevent the loss of Flanders, and if not. the King of France will over-run Flanders, and you too, if he can. The King has made an Alliance for the preservation of Flanders, and you have voted that you will support him in it; and the Dutch are come to know of you where to place those ships; in the Sound, and the Baltic sea, for your trade there; and for your Colliers, on the back fide unto Scotland; the Channel, and the Mediterranean; and in the Indies to secure your trade there—In these respective places. Can you spare your Coast and Channel trade, your Colliers, and the Baltic trade, and can you be without the Straits trade? My Lord Chief Justice Vaughan said once here, "'Twas requisite to set out a fleet for the honour of the Nation only," and you did it; but now this is to be done for your fafety against one whom you have provoked sufficiently. What can the inconvenience be of providing,  $\mathcal{C}_c$  and that Money to be made accountable to you? For you have all the word and honour it shall be employed as you intend it; nay, you have the Law against the King, if it be not fo disposed of. And what security you can have higher, I know not.

Mr Garroway.] I hear it said, "That there is no proposition made, &c." but we have sat so long, and if the danger be so great as is told us now, Gentlemen should have told us of it sooner, and we would have named a sum. We have made the French King an Idol, and we must worship him, and he must scourge us. If 250,000!. be too little if we have War, if it be Peace it is every penny too much. We were told, "If we had given

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Money

Money in January, the Fleet might have been ready in May, and if in February, not till June;" and so before we can be ready, if the Gazette informs us right, the French may have all Flanders, if they please, by that time. If you are sure that the French King is your enemy, I would not compliment him all this while. I would preserve the Nation till that day—'Twill be too soon whenever it is. I will agree to prepare towards men, or ships, or men for the relief of Flanders. But 'tis said," This is to make good our Alliances." But must these ships be in perpetuum? The King may adjourn us for a month, to make preparations; and I would give so much as to put him in a present posture, which 500,000 l. will do.

Mr Secretary Coventry.] I aver to you that we are not a hair's breadth towards a Peace with France, and the King has not confented to a ceffation of Arms, nor any thing. But to what is faid "of the Frence Ambassador, &c." Would any man send an Ambassador away, without assigning a Crime? Will this sum set out your ships, with an engagement to see the seamen paid when they come home?

Mr Garroway.] I would not willingly give offence to Coventry. I faid, "by all the light we had, I never thought it otherwise;" which is but by Gazettes; but I

never thought Coventry in the intrigue.

Col. Birch.] I told you some time since, "if 90 sail were not enough for this War, I would have more"—Unless France let us some, we can have no more. In six months you cannot spend 500,000 l. allowing 100,000 l. for stores. I admire to hear you told of victualling the Navy, by Gentlemen that know the Navy is victualled already, and that there is Moneyto contract farther. If it be denied, I would go to some books, and see. Allowing for all Contingencies, 150,000 l. will serve for stores, &c., more than they can spend. I would never have the House give a small sum, which may occasion making a base Peace with France. But if ever we make a Peace with France, and leave him 150,000 men and 140 sail

of ships, he will be your master. Above all things therefore, leave no room to fay, that the making Peace is your fault. But it looks like Peace as one hand looks like the other. But if no Gentleman can show, how you can spend more than 150,000 l. for stores, if you pay them 40,000 l. a month till the last of September, and admit 150,000 l. for stores—admit it to be September before we meet again, and then give Money, and the ships return before the Money comes in, which will take up your 500,000 l. the King makes the rest out of the Customs, viz. 200,000 l. Then, unless some Gentleman will make it as fure that we shall have a War, as I am of my hat in my hand, I would not give one twopence more. I fee as little, or less, than any man-But I would have it that the House give as much as can be fpent till we meet again. If there be War, we may have Adjournments from two months to two months, and the King will be glad to fee your faces, and you his, in winter. But if no necessity, &c. for more, I move that you will raise 500,000 l. &c.

Sir Thomas Meres.] I would know the reason why 200,000 l. may not be spared out of the Customs towards the Navy, when we need it so much. When the Bill was passed for the Customs, all was appropriated to guarding the seas. If 700,000 l. out of the Customs ought to go towards the War, 200,000 l. at least may

now be spared.

Sir Tho. Lee.] The Question now is not for what the Customs were given, but for the present desence of the Nation, be it War or Peace. If you come to be armed once, the consequence may be Peace. If it be as it is said from the Bar, if we are weak, and do not arm ourselves, it will be War. But the difficulty is, come War, come Peace, you are as strong as if it was War, the Nation is sufficiently provided for. As 'tis delivered in the paper, the Admiralty will not come to above 400,000 l. wear and tear; and the King pays not all ready Money. He has credit for victuals, eight or ten months, to provide, &c. Still ready Money is not necessary. So that the sum proposed is more than necessary.

necessary. 'Tis said, as an objection, "Will a man go to sea and have no hopes of pay?" To which I answer, Will they not take the Parliament's word? You may be called again, or sit on, till the War be declared. If it be an actual War, you are moved for more than can be paid or spent before September; if you give such a sum as must weaken you against emergencies which may happen—I would give therefore so much as will put the Fleet to sea, and that will clear all difficulties, and remove all jealousies.

Mr Powle, in answer to Sir Tho. Chichley.] If there be 90 ships at sea, there is no danger of the French landing, and so no need of a Train of Artillery, nor

erecting Forts.

Sir Tho. Clarges.] You have been told that 200,000 l. is the ordinary charge, &c. and yet we are weak and defenceless now War is near. I would have this taken notice of.

Mr Pepys. Birch feems to rivet all he has faid in this: "Let any man show him how you can spend more than 200,000 l. in this War, till Michaelmas." But I can show you a War in his management, and your management, wherein greater fums in that time have been spent. I will begin with your War, the first Dutch War. At the close of it, the House thought it a fit and good Calculation of the Expence past. The Committee sat feveral weeks. The War lasted twenty seven months within four days. And you agreed in fo little interval of actions, that you did think fit to abate but one month, and the rest of the account was allowed. There were 27,000 men in pay. Birch refers much to former times; and in that husbandly year of 1653, from April to July twelvemonth after, the very stores came to 600,000 l. The whole of the charge to 3,707,000 l. 1 should be glad if any Gentleman would comment upon England, at that time, was an infant Commonwealth, and do you think the quarrel was worth it? Only which should be the greater Common-wealth, only to take the wall of them, and this War is against so great a man

a man as the King of France, and so little is demanded to maintain it; and three millions were spent in that Dutch War of 1653, and more for providing stores for summer fervice—The action lasted but a year. To show you for that year—They had had the year before for stores—And in one summer they required 600,000 l. merely for stores. If that Money could then be raised, I am fure it may now be laid out. I hear it faid, " if this be a War to purpose, &c." But it will be an unfortunate War, if you go not early to market for stores. As for victuals, they are referred to a plain decision; they are under monthly payment, and that may be rightly stated. If you go upon that measure, what may be laid out between this and Michaelmas, above 800,000 l. may be. Those abroad must know that you are in a condition to keep your men abroad, as well as to take time to pay them at home. Else it will be a contemplation of joy to your enemies abroad. I appeal to the Merchants of the House, whether ships that go out to sea do not know their paymasters, and they will not go to fea, without affurance of their pay, and the Merchants engaged in their lading look to it. I leave what I have faid to you.

Col. Birch. You may have opportunity to know me and Pepys too. There was a Motion in 1648, when that horrible act was done, to adjourn the House for fix months. I had a note fent to me, "that I should be pulled out of the House"—And I was twenty times in prison, and no design was against Oliver, but I was the first in prison. When the Parliament was fent up in 16,4, I think I faw the papers how the War was carried on, and a Peace was basely made by him then at the helm. I thought Pepys would have faid, that he believed more than 400,000 l. would be absolutely neceffary to be laid out, if an actual War against this great man. But we have more towards it than that; we have the Customs, if occasion be. You are told "Carriages are out of order;" the Customs are for that too. The thing I expected was this, that with a Non obstante of the Customs, you can set out a Fleet with that sum proposed. If this will not do it, then come to a single point. If Gentlemen fay there is more wanted than 250,000 l. for stores, yet I allow 300,000 l. Now to the Foot; if they be paid fix months, it will be under 200,000 l. according to the proposal, if the War be at the hottest-Put this then together, what need we do more? This puts us in condition to carry on the War; and if it be in earnest, we may be fent for in two or three months. We are told, "that Merchants will not let their ships nor feamen go out, unless they have affurance who shall be their paymaster." But if the King and Parliament cannot be trusted till the King think fit to call us again, 'tis strange; the King having our 500,000 l. and the Customs 200,000 l. There is a vast difference between our accounts, to answer the country by what we fee, and by what they should know, pretend to tell us. I would put the Question for 500,000 %.

Mr Pepys. Birch makes all his calculations from 1653, his year, and his War, and his time. I only fay this, Seamen go out heartlefsly, and Merchants with difficulty, without having an earlier prospect for their money than September. If it shall be fit to expose so many feamens lives, and provided for fo long, and no longer, I agree that 500,000 l. will fet them to fea, and you fling away your 500,000 l. and your Fleet too, and this I say conscientiously. (He was laughed at.)

Col. Birch.] If I had called it "My War," and "My War," I wonder how I went fo long without the chastisement and remembrance of the Chair for it. This I faid, and now I fay it, that if Merchant-ships fought so hard that they wanted powder then, and if powder be made cheaper, 4 l. a head would do it, and I supply for 5 s. more. But I never faid any thing of "My War." I spoke only to the calculations of 1653.

Sir John Ernly. ] 'Tis faid, " This fum is too much for Peace, and too little for War." By what I have

fpoken

spoken with the officers of the Navy, and Gentlemen abroad, they fay, "If provision be for not above nine months for the Navy, they will not think us in earnest to provide for your own fafety." And if there be a fudden Peace, then the Money is as fuddenly stopped, and 'tis in your own power to stop it. I hear it laid. "We should give such a sum as the nation is able to pay." 'Tis more reputable abroad to be able to make head against the French King-They abroad cannot think we intend a War, and think so meanly of the King of France as that 500,000 l. is a fum to enable us to make War with him. When that is told you, whether it be War or Peace, 'tis for the satisfaction of Spain, and that no scheme of Peace has been for his fatisfaction—Now the King has told you he has made Alliances, and 'tis noised abroad what slender provision you make-I move therefore for nine months provision for the Navy, and, by that, cast up the sum; and the King will not press you for the Money for the monument fo foon as you intended it in the Bill.

Mr Secretary Coventry.] I am not so intimate with the King of France, as to know his intentions more than by his actions. The King of France will give more than you offer by this Question. You will sink the hearts of the Confederates more by this Question than you have raised them by the former Debate. I think the sum moved for by Mr Bertie, viz. one million, very rea-

fonable.

Sir Thomas Lee.] That which Coventry says looks strange to me, "to have the War break all the Confederates hearts," and "that the King of France will give more than you, upon the methods you are like to take." What is said here is no secret. I would then be satisfied, whether it is not the Fleet and Men, as has been proportioned here, that you have consorted for, and whether the Confederates are not to contribute something towards our charge. The objection is upon three months, therefore its not the same thing for a year. All the World must see this is not a jealousy against

against France. France can have little comfort to see you raise Men, which you have ever avoided, and that we are only slack to raise Money, for fear the Men should not be employed against him. I never knew, when more Money is called for than what is need-

ful, that you ever had it again.

Sir Henry Capel.] A Question put without a Negative is worth ten millions. I would not give such a sum as may make a Peace, and pin the basket there. When I consider Addresses repeated, and that the King has made those Alliances, 'tis a missortune not to see more of these Alliances. When I consider our Addresses, &c. this sum is to little. 150,000 l. per mensem is a vast thing—I expected a greater sum when the Committee divided upon it. Suppose 600,000 l. moved for, and a million insisted on. Till we have a War, let us give in some proportion to the noise abroad. I move therefore to cut the thing in the middle. 600,000 l. may happen to be intended, when 500,000 l. was moved for, and a million moved for. Therefore I move for 800,000 l.

Sir Francis Ruffel.] Seconds the Motion.

Sir William Frankland.] Moves, that, for unanimity,

the fum may be 600,000 l.

SirThomas Meres.] You have five, fix, eight, and ten hundred thousand pounds moved for, to enable the King to enter into a War with the French King. No man doubts, if the words be so upon your books, but that the Act itself will pay the men when they come in. The House will not fail, nor ever did fail paying them. At no time have we failed. Nay, we gave 1,200,000 l. when we liked not the War. 'Tis too much if there be no War. We conclude War, and the consequences of it, if we give 500,000 l. and I move it.

Mr Secretary Williamson: I expect that, under fix months provision for this War, the Allies will not go along with you in an action that cannot end in nine months. All the Mediserranean and West India Fleet must be provided for a whole year, and a Magazine must be in the Mediterranean, and the West Indies must

be immediately taken care for; all the rest of the War may be so over in nine months that you may have time to deliberate. The thing, so fatally possessed with jealously, will startle always; 'twill be worse than nothing, and bring those that have the Money into a snare; and

I would not agree to the 500,000 l. proposed.

Col. Birch. I would have a word put into the Question, viz. "For maintaining a War against the French King." I believe the Money will be for a War, or kept for some other use. 'Tis too great a thing to be jested with, and you cannot be looked in the face, if it be not done according to the Bill. 'Tis a reputation in this great thing to have no Negative. The words that I offer are, "to enter into a War with the French King," though already more is offered than is requisite. I hope this will be without a Negative. I move for 800,000 l. But this is to be understood, besides Money out of the Customs, which will make it 200,000 l. more.

Mr Secretary Coventry.] This is more than the Committee can do. The House has given their word for this Question, viz. "to support Alliances the King has entered into." But in case, upon your War voted against the French King, he should accept of the Pyrenean Treaty, and come up to it, nevertheless the King will be obliged to spend that Money in a War with

the King of France.

Sir George Downing.] You cannot alter the words of the Order from the House. The Committee has always had reverence to the House on this occasion, several times before; and you have no power to alter the

Question.

Sir Thomas Meres.] Suppose there be no such Alliances made to lessen the power of France, then you give nothing; but I would give positively, "to enter into a War." If you go to a greater sum than 500,000 l. then 'tis to support, as well as enter into, Alliances. I speak this for unanimity—And only to enter into a War, I will go as far as 600,000 l. And 'tis demonstrated plainly by it, that we may meet in September next. But

if Gentlemen have not a mind to meet then, they may give more, &c.

Sir Thomas Lee.] Without those words in the Question, moved for, it looks like an encouragement to Peace to

give this Money.

Mr Garroway.] The King is not bound up by this Vote, but you are obliged, if it be War, to support him. Accordingly, be it as long as he will, I am obliged to it, while I have one penny. If nor, I am against it.

Mr Secretary Coventry.] The King cannot fay he is entered into a War, if he is not in it; and no man has "entered" who has not been in it. When the fum is adjusted, the words may be added, with affurance, "That the House will not fail him." But I

would have that when the fum is voted.

Col. Bir b.] I know not but some may come after, &c. and say, Give Money for an Alliance I know not of. Perhaps this Alliance is to force the Spaniard to do what may cost many mens lives, and more Money, and dissolve the Consederates. We were told, "That our coolness and dulness in affishing the King would discourage the Allies; and now that we would have a Question to oppose the French King with this Money, that must not go." I would have the world see that we are in earnest, to enter into a War with France, and if this discourage the Allies, in the name of God, what Allies have we? If this be not sense, I would know what these Allies are. If it be to bring down the power of the French King, I am for 800,000 l. with the addition to the Question that I have offered.

Mr Secretary Williamson.] The purport of those words is no more than what is understood to be the sense of the words and intention of the Order you sit by. Though I take not the words to be of a different sense, and I am not against them, yet you must go to the House for leave for the addition of them to the Question. "To enter into a War with the French King," is no more than "to support the Alliances." If the words be in-

fifted

fifted upon, we must go to the House for power to add them to the Question.

Sir Thomas Clarges ] 'Tis not fit to have the words in the Question, "to support Alliances with the States General," because you are told that the Treaty is not yet confirmed, and 'tis strange to have it in an Act of Parliament.

The Speaker.] I think it will confift with your Order, though it be not in the words of your Order. If you will give me leave to take notice of the Order of your proceedings, the Debates have been upon two fums, &c. I could have wished you had proceeded in another method. In this there is but one way of raifing this. When several sums are proposed, and those debated, the least sum is first put to the Question; and then the other fum likewise in competition with the greater fum. So then the competition in the Debate is between 600,000 l. and a Million. The other fum of 800,000 l. interloped. I am never for so great a sum as will fright the people, nor so little a fum as is not to be depended upon by our Allies. Shall the ships and men be raifed in earnest? That will cost three Millions, and you give but 600,000 l. The King has made those Alliances upon our actual engagement and affurances of affifting him only, and, after a computation of fo much, you come on with 600,000l. There would be no difficulty in this, if the Question was betwixt the King and the people only; but others are to take measures too by it, and if you lessen it, they must seek it elsewhere. No man that hears me but will fay, that it is an unnatural step to lower the King of France by distrust amongst ourselves. Distrust is a weed apt to grow here, and those not under the Duty we are will despise him-And therefore I never think it will proceed from this House. The greatest consent has been to a Million, and will the King part with this Duty and Loyalty for a Million? The King must never look you in the face again upon this cheat, that no particular man would go about to get money by. I will fay nothing VOL. V.

the willingness of the nation to lend money, so bit by public faith, but they would caution such a sum of money as to make your coming again necessary—I would have this his Act, not ours, not the result of his necessity but your duty, and not to perpetuate ourselves. We must trust the King, and you injure your Question by sticking on it so long, and therefore I would

have you put it.

Sir Thomas Meres. ] I affirm it to be Order, that, if feveral fums be put to the Question, you must put the least sum first, and so on; but if Gentlemen would put 700,000 l. afterwards, I do not say that Question must be put. If I may have leave, I will fay a short word to matter of trust. We may be trusted by the feamen. Foreigners may trust us; they have no cause to distrust us-Betwixt the King and us 'tis the most valuable and worthy thing-I recommend it to the Ministers, that, when the King has faid it, though in a little matter, I am glad 'tis thought of fuch a value, and I hope no man thinks much to hear me, but if this has not been fo formerly, 'tis none of our fault. I shall never lay it to the King. I could instance in three points they are ill plants. I shall not mention them. I could rather wish there was no appropriation of this money for ships. I should be rather glad of it. Trust is the best and noblest jewel of the Crown.

Mr Mallet.] I agree not with the Speaker, that a fum, having been named, may be waved, and not put to the Question. As to all other parts of the Speaker's discourse, in storid language, he says, "Alliances are made;" but yet there is no discovery of them; but by woeful experience we have found vast deviations of money, and that makes me more cautious. I'll say no more.

Mr Sacheverell.] To neither of these sums we can be unanimous. I am one of those who are not for 600,000 l. till I have certain assurance of Alliances. I know not that there will be a War with France, nor any Alliance sinished. It seems a popular Argument, as if this gave a mistrust in the King. This seems strong upon

you,

you, but I never laid it there; but as for him that does trust, when he has been once, twice, and thrice deceived,—it does not become Members of the House, but weak men to trust. The Triple League was broken, I would have one instance given, when the people desired War, and War was made. When the people gave money for it, the Ministers got money from the enemy to make Peace. What must induce this change? Is 'tis intended to enter into War, and Spain knows all this, and is not a party to the Treaty, nor the Confederates, I can think it has no other aim, than to crowd a Peace down the Spaniards throat without their consent. Declare War against France, and I will come up to it; but till that is done, I will not give one penny.

Col. Birch.] I would have the Speaker tell me when fix, eight, or ten hundred thousand pounds were ever moved for, and not put to the Question, in order, the

least fum first?

Sir Thomas Littleton.] I would have a word added to the Question, viz. "For entering into an actual War with France." Though a man may be of opinion that 600,000 l. is a competent sum for entering into it, and not a Million, without so much as entering into it. I mean not for a long time.

Sir Thomas Lee.] The Questions in dispute are barely matter of the sum. It admits any variation, and all sorts of reasoning, keeping still to the sum. I would

have entire liberty to have it in the Question.

The Question being put for 600,000 l. it passed in the Negative.

The Question for 800,000 l. passed also in the Negative.

Refolved, That the fum of one Million be raised, for enabling his Majesty to enter into an actual War against the French King. [Which was agreed to by the House.]

### Tuesday, February 19.

In a Grand Committee on the Supply. [On the manner of raising the Million, &c.]

A Motion was made to lay part of the tax upon new

buildings, &c.

Sir Thomas Clarges.] You may as well lay more tax upon Dorsetshire, because of their clothing trade, and

not upon Bedfordshire. I would know what new foundations have been since 1672—Lately, upon tryal at law, Lord Chief Justice Hale did declare it legal to build, where foundations were laid. And why may not a man make the best of his own land?

Sir Tho. Littleton ] You eased London, and laid the Tax upon Middlesex, by reason of these new buildings; and so they are taxed already. There is no reason for a

man to be judged afterwards.

Sir Charles Wheeler.] In Coal Mines under ground, as well as Houses above ground, one is improvement above, and the other below. If you lay the tax upon ground improved, you pay as well for all Meadows as those improved at Salisbury, and there is no consideration for the Charges. Can we go through the War, without a Land Tax? I would have sure footing to maintain at the beginning the setting out of the War, the better to supply the King when we meet again, and the War is entered into.

Sir Nicholas Pedley.] The general pardon operates only upon what is past. New buildings were declared general Nusances in King James's time. They would in time make London too big for the whole body. You may well give a year's value upon them towards this charge.

Mr Garroway.] Young Gentlemen, come lately into the House, flatter themselves that this may save their Land in this Tax. Tis now sixteen years experience that when we come to a result, the thing, I believe, will be upon Land; and that is ready calculated for you.

Sir Thomas Lee.] If this be the last Tax we are to pay upon this occasion, then I would charge Land; but I would keep that for a reserve, till we come again; lest, when that shall be, we find no way to raise more money;

our Land having its full load.

Sir Richard Temple.] In Henry VIII's, Edward VI's, and Queen Elizabeth's time, Subfidies were upon oath, and power to examine parish taxes, and by that means they raised the Subsidies from 30,000 l. to 100,000 l. and 'tis the equallest way that can be. Now, in Land Tax, all men

that

that paid in Subsidy, were excused. Dignisted Clergy now go free, and personal estates; which may bear a great proportion in the money; money at interest, adding nothing to the capital stock of the Nation. You are a trading Nation, and money ought to stir. Judgments and Mortgages make men waste their woods, and pull down their Houses, and plough their Lands, and destroy the Nation.

Mr Secretary Williamson | Since you are going into fo great an action, &c. and engagement, you have the annual charge of the War, in a great measure, before you; and this is but half your annual expence, but fix months expence, you order it fo. There is no more on your Land now remaining of the last Tax than fix months; your Land is charged 35,000 l. per mensem till August next. So that your Land being charged for seven months, viz. from February, as I suppose you will begin the Tax, it will be eight months before you can be charged with this. I would not therefore lay more on Land, for this will be a distant credit, [like] that [which occasioned] all the intricacy and garboil in accounts the last War. And fince Land is to be your standing fund, you must not charge it with what it will not bear for six months. You will charge the Land eleven months to have wherewithal to carry on the War for fix months. If that be your case, Land is no way at liberty to help you for five months, and I would have it helped with fomething elfe. If any thing can, it ought, and all that can be named is little enough. New buildings are pardoned by the Act of Grace, and not pardoned. This is a contributing towards your charge; though not by law, yet convenience to help you. These buildings are one of the banes of the Country; they draw away all your tenants, and must not these Lands supply your present occasion by way of penalty? Buildings may give fomething, &c. Those that hire them pay dear, and those that buy them. The owners having made profit of them, to the Nation's injury, ought so bear some part of the burden. To lay not more upon Land than what will come in upon Land, is a

necessary caution for this great work.

Serjeant Maynard. The Question is, where you will lay this Tax. A certain fum is most certain to be raised. and most equal. Ever since I have known the Law, and practifed at the King's Bench, I never knew any general, but this of new building declared a Nusance. Building itself is no Nusance, but it being an inconvenience to the Civil Government, is the greatest Nufance that ever was. Though the Court of Star-Chamber in some things was a grievance to the Nation, and the King could not make a thing unlawful to be lawful by Prerogative, yet the Star-Chamber construed the increase of new buildings to be a contempt, to do an unlawful thing, when there was a Proclamation to the contrary. Irish cattle are enacted a Nusance, malum, unlawful; or because prohibited; and some things are Nusances, by the very inconvenience of themselves, as the multitude of buildings are. Continuance of them, though pardoned, is now a Nusance. I speak not this to bring a tax upon new buildings, but to clear the matter of Nusance. An Act of Parliament may declare a Nusance that is none, and a continuance is a new Nusance.

Col. Birch.] I am still of the same mind I was last night. I would be glad of the 200,000 l. that we lost yesterday. If I were sure we should have no War, I would charge Land without any more ado. But if Gentlemen have a clear sight in this great matter, there is nothing to make you low and contemptible to your Enemies, but charging your Land. If once you make a concurrent Tax upon Land, the French King will not be asraid of what you can do. I am for charging Land, when we come shoulder to shoulder with the Enemy. Till then it will be but vain to charge Land. I hear it talked of, "laying part of this Tax upon money at interest;" but I would never do that till you can secure your money by a Register-Bill. In the body [politic] 'tis as in the body natural. If the money does

not circulate, all will fly to the head, like the blood, and kill presently. If those at the helm do not confider to bring the blood round again, the many confequences will be fatal. If you lay this Tax upon Land, the first fix months perhaps may come in, but the fecond fix months will fink a third part of the value of the Land; and Cattle and Corn will give nothing. I would have this feriously thought of; there can never be War, if this money be raifed by Land-tax. I take this as before you; let new buildings go as the least of evils; keep the Tax from Lands. I was here in a Convention in 1654, about paying some debts contracted for the Navy. (I never faw so many wife men together.) And then it was faid, and faid again, "that new buildings were Nusances," when all was fair green fields at St James's. They then put in something by way of a Jury, to enquire into the values, and raised a good deal of money upon them; I can tell you how much. I would have "new foundations fince 1654" pay one half year's value of the present rent. If they be Nufances, and Crimes, I would have them pay, but only as we pay for our Land—Hold us to this point, till either it be laid aside by a Question, or resolved, "that fince 1655 and 1656, they may pay one half year's value."

Serjeant Maynard.] I would lay the Tax upon the Landlord. There are eighty and twelve thousand—which by law ought not to be. In St. Giles's parish scarce the fifth part can come to Church, and they must be of no religion at last. I am most for it, that there may be no farther increase of them.

Mr Waller.] If these buildings be a Nusance conti-

nued, they are to be pulled down by Law.

Sir Thomas Clarges Jaying Some words, "as if this Tax would make the Government odious,"

Sir John Talbot took bim down for reflective language-

Sir Thomas Meres excused bim, and

Sir Thomas Lee took Meres to the Orders.] It is the Order of the House neither to excuse nor take N 4 a Gen-

a Gentleman down to accuse him, till he be heard cur.

Sir Thomas Clarges.] 'Tis not reasonable that those Houses which have been Nusances two or three years, should be taxed like those that have been forty years. In the Borough a man may build by Law, and 'tis no offence, for the verdict upon these new buildings was passed upon that Statute. When the Lords find their Inheritances equally taxed with the nation, they may pass the Bill; but when this Tax is upon a number of Lords, will they not be heard at their Bar? Which will occasion Conferences, and hinder the Progress of affairs. Lord Chief Justice Vaughan, when here, said, "That the Law of Parliament was the Law of the Land; and no man ought to be taxed but for the spareable part of his Revenue." And is one half year's rent the spareable part? I defire these Gentlemen of the Long Robe would

tell us whether it be illegal to erect new Houses.

Mr Sollicitor Winnington. ] It feems, there is some difference of opinion in this matter amongst those of the Long Robe. I stand up, in the main, to ease Land. But I think there is a mistake in this of new buildings, &t. "Tis the interest of the House to establish the durable interest of the Nation, the Freeholder. This Debate is charging new buildings, and the reason in the Debate is, "That they are a common Nusance." Though I am not of the Coif, yet I will presume to offer my reasons. A common Nusance is not dispensible but by Act of Parliament, and is "a detriment to all the King's fubjects." 27 Eliz. " No buildings were to be within fuch a distance of London whatsoever." But that was but for a number of years. I never knew a Nulance enacted perpetual, but that of exportation of Leather, and importation of Irish Cattle. When the Act was expired, notice was taken of the contempt of it, against a Prorlamation. When Essex-House was to be pulled down, the Society of the Middle Temple thought it an inconvenience. They had the best Counsel they could get, but were forced to fit down with as good a Composition as they could get. The first cause I ever was of was that between Lord Clare, and Clement's Inn. Now they are not a Nulance. Yet there is reason why they should be charged. I think, a very young man may remember the increase of buildings about London. Nothing decays rents in the Country like new buildings about London. Labourers in the Country, at fix pence and eight pence a day, come here, and turn coachmen and footmen, and get a little House, and live lazily; and in the Country the farmer is constrained to pay sixteen or eighteen pence a day, through the fewnels of workmen, and therefore can pay less rent. They will leave the Country for better Wages. Sumptuous Houses are a great invitation to Gentlemen of Quality, and their Wives, to come to London, where they live better, and more at their ease and content, than with a greater number of fervants and expence in the Country. know not how Clarges finds it that the builders get but 4 l. per cent. but I know that if their Houses are not in bad places, they get 15 l. per cent. I would have this charge on the Landlord, to stop the increase here, for the Land-holder must support the Nation. The Law takes notice of the Free-holder, for tryals upon juries. The rest are but servants to them, and they, having greater advantage, ought to bear the burden. 'Tis an easy matter then to propose a charge upon them. I suppose you intend to charge some on Land for certainty, and that may be a certainty on the buildings alfo-They live better, and in more plenty and profit than the Freeholder, and they are but supernumeraries to ferve them, and they ought to bear a part of this charge.

Mr Williams.] If this of new building be a project, I am against it; if not, I am for it. Therefore, in the first place, ascertain a proportion upon them towards this Million you have voted. As to the Nusance, 'tis said only as an argument to induce you to tax them, not that we declare it so—Some things in themselves, and some things by accident, are Nusances, and you may consider your own condition of Nusance. Some will

fay, "A long Parliament is a Nusance," and for us to declare that a Nusance, may draw the people to think us so; and I would have these new buildings Nusances by accident. To run into all the circumstanstance of these buildings, whether the Landlord or Tenant, shall pay this Tax—There is also a mean proprietor—This will create a hundred Questions. I would lay it therefore on the value; but if you lay sums upon them, you must have a calculation of their number since 1656," for the oldest must pay, they having had greater profit, and 'tis sit a general estimate of their number should be made. There are said to be about 20,000 houses, then you may lay an estimate, whether 400,000 l. & c. Then I will go along with you, or else 'tis an improbable thing to raise any money on them.

Mr Swynfin.] The only strong reason I hear for this charge is, "That 'twill eafe your Land," and that reafon is grounded, "because they draw common people, and labourers hither." Suppose you lay half a year's rent upon them, will that hinder Gentlemen, and poor people and loofe tenants from coming hither? So that thefe reasons work not with me. But is this that which turns the Country up to London? Then you should make an Act to erect no more, and that will stop them. I am against this charge, till I know how much this will keep off the Tax from Land. To give my negative, or affirmative, I would value them before you put the Question. It may come to this, that the receivers may not receive half what you rate them at, and the King not have half, and therefore some think this may raise 400,000 l. and others not 40,000 l. so that we shall lay an unusual Tax, supposing to keep the burden off from Land, and at last return to Land again. I would agree how much shall be accepted to keep off Tax from Land. When the Chimney Act was computed ['twas] uncertainly, and we charge the fubject we know not how. Let some Gentlemen bring a clear er your own condition of Mulance Some

clear estimate what these buildings will bear; else I

cannot give my confent at all.

Sir Thomas Meres.] If you will go back to the year 1630, it will raise you something. In 1654, it did not raife above 40,000 l. and consider they must pay Tax alfo. It will be four or five shillings in the pound upon them, and this is concurrent upon them besides the half year's rent, which is ten shillings in the pound. As Williams told you, if you lay it upon the original Landlord that built it, he, perhaps has not two shillings in the pound, and then there is a tenant, and a tenant under him. (And now you are in earnest, as I did not believe you were before) If you circle in the Bills of Mortality upon new foundations, from 1630, if that Question pass, it will come to something. But for those just out of the Bills of Mortality, and they are not [to be] taxed, [to] pay nothing, that will be unjust. I would have the Question " from 1630, all the buildings within the weekly Bills of Mortality, upon new foundations;" and the other Question, by degrees, step by step, till we know how much they will bear.

Mr Sec. Coventry.] There is scarce a year but three or four houses either fall down or are new built in Covent Garden, and they [to be] rated as you do old ones,—that

will be very hard and unequal.

Sir John Talbot.] Moneyed men may be met with here. They are the builders, and fend money abroad for foreign timber, where our crown-pieces go for 5s. and 6d. and 6s. I would tax them.

Mr Garroway I look upon this Tax as unjust, and therefore I am against it. I am taxed to the utmost in the country. If you will say, "Tax them at the rate of the city of London by reason of their trade, but if for their moneys because they have built houses," I know not, but by the same reason, you will tax all men that have raised estates since the King came in and had nothing before, as if they were Roserucian Knights that had got the Powder of Projection.

Mr Secretary Coventry.] If you put building as a crime, 'tis a greater crime to build near the time of making the Statute than to have built farther off.

Sir John Talbot.] From 1630 to 1640, the builders paid a fine to the King, by censure in the Star-Chamber, and from 1640 to 1656 they paid likewise. Consider how great a proportion those paid that were then built; but I find my old House is not a jot eased by the new buildings in St Margaret's Fields.

Sir Thomas Clarges.] The Statute of Q. Elizabeth, spoken of, does not extend to such a distance from navigable rivers—But people may build on new foundations. Cottages are to have four Acres—Boroughs and Corpo-

rations are excepted out of that Act.

The first Question was put, Whether one half of the full yearly value should be charged upon all the Buildings erected upon new foundations, [without the City of London, and] within the weekly Bills of Mortality, since 1630, (except such as were demolished by the late sire;) which passed in the Negative.

The fecond Question, Whether upon Buildings, &c. fince 1640,

passed also in the Negative.

The third Question, Whether upon Buildings, &c. fince 1656, passed in the Affirmative, [and was agreed to by the House.]

Mr Sacheverell.] I would have an addition to the Question. I look upon this Tax, to be laid upon the new Buildings towards the Million you have voted, to be as a fine little sugar plumb to quiet us for yesterday's Vote of a Million, &c. which will never be made much of. I believe this War intended with the French is such a War as that of Henry VII. with France. We shall find that an Act of Re-assumption of Lands granted from the Crown, will give more ease to the subject, and I move for an Act of Re-assumption, &c. since 1656.

Mr Williams.] I believe the thing very good, but not feafonable now, and very well worth your Confideration

in its time.

Sir Thomas Meres.] These things relating to Houses may be doubtful; but as for the Crown-Lands, and those

that

that have them, they were valued at 300,000 l. &c. and they may raise something. If you vote a Re-as-sumption, I am for it.

#### Wednesday, February 20.

[In a Grand Committee on the Supply.] On the Re-affumption of Crown-Lands.

Sir Charles Wheeler ] The Duke of Buckingham had 30,000 l. a year of the Crown-Lands granted to his

Serjeant Maynard.] King Charles I. granted many Lands to the City of London. Those that bought these Lands were so wise as not to keep them. Consider from what time you will make this Re-assumption. That is one consideration. As to Tenants that have bought those Lands, will you make a distinction of service? Some have done great services for the Crown, and have had those Lands for a reward—And have not those that purchased been invited by you? 80,000 l. a year was sold, by Act of this Parliament, of the King's Fee Farm Rents. If you shall undo the owners of these Lands, without any way of Consideration, 'twill be very hard. I submit this to your Consideration.

Sir Thomas Mompesson.] To put this in a method, will take more time than you have to spare. There is a stronger Consideration for this of Re-assumption, &c. than the other of new Buildings, and I would have some Consideration of that.

Col. Birch.] They were chiefly rents bought in the late King's time—But I can show forty times the value now upon improved value. What has been disposed of by Act of Parliament cannot be touched, and I lay that aside, and 'tis not considerable in comparison of the others. Kings rarely come to Parliament to enter into War: Formerly they entered first into War, and then came to the Parliament for aid to maintain it. I have heard from Serjeant Maynard, "That Acts of Parliament consirm sales, &c. from such a time:" But none from

from the 1st of King James. Now to make an Act of Re-assumption, from so long a time, would make an Earthquake. We have found that Dean and Chapters Lands were facred; they were restored, &c. I had bought some, but now I have none—The Crown-Lands are in so many hands now, that 'tis not practicable to reassume them, from 1 King James—and not one part in ten is alienated for the tenth part of the value. If you please to put those Lands, at a two years value, towards this Tax, with a Non obstance, where there is an Act of Parliament for Consirmation of them, &c. I think it reasonable.

Mr Secretary Coventry.] Either these men that have these Crown-Lands came lawfully by them, or unlawfully. Tis not fair dealing to take from the King, &c. and confirm it to parties—If they are lawfully seized of these Lands, I know not why they should be taxed for them.

Sir Thomas Meres.] Those that have got on a sudden

into great wealth and rents, I would have taxed.

Sir Thomas Lee. I I think it as great a Crime to take away the Support of the Crown, as to do a thing against the Government, like that of new Buildings. The fate of the case is quite altered. The King, at his coming in, was possessed of a great quantity of Land: I think, of 150,000 l. per annum. This, together with Excises, and 1,200,000 1.—And then the Sollicitor, General Finch faid, "'twas all you had to give, and all the King could ask of you;" and since that, the King has had the Chimney Act. An estimate was then brought into the House, it seems for no other purpose than for people to beg them, and the other Revenues. And now the King "cannot speak nor act, &c" because all the Revenue is gone away. These are arguments why you always must give, and it always must be begged. These Lands cannot be given without Act of Parliament, but re-affuming entirely is a great confideration; but this is only to take from them that have got it, out of what you have paid. Put the Question then, " Whether these Lands Lands shall bear any part of the Tax;" and how much, is an after Consideration.

Mr Sacheverell.] I think these Revenues are not to be alienated on any terms, and if Gentlemen look upon the Grants as good, I am not for charging them to confirm them by it. If you intend to re-assume all the Crown Revenue, not granted by Act of Parliament, I am for it. But I would have an Act also, to make it penal for the future to obtain such Grants, and to make the Crown-Lands unalienable for the suture—I am for that.

Sir John Knight.] Some would willingly give three years purchase to have these Lands confirmed to them, and I would have them re-assumed that they may ease us in the burden of our Taxes. In Cornwall there is 30,000 l. a year of old rents. 100,000 l. per annum. That is gone out of the Crown, which was for the safety of it. You will find thirty several Acts of Parliament, in former Kings times, for Re-assumption of the Crown-Lands, and I would have it so now.

Sir Thomas Meres.] I would not, by taxing those who have these Grants in the Crown-Lands, [make] a worse or a better title, but leave them in statu quo. I desire to take some profit of them now, and some another time. They may well contribute, for all their Lands ought to go to the Crown; but by this Act I would have them neither make a better nor worse step than before.

Mr Williams.] This charge you lay upon them is in respect of the profits they have already received. They have intruded into the King's possessions, there-

fore you do well to right the Crown.

Mr Finch.] I am against the Question, as it is stated—But neither myself nor any relation I have, has the least interest, direct nor indirect; not one foot of these Lands I have, or am likely to have, and so I have no interest in the Question, and may speak with the more freedom to it, because I am impartial. The King has an absolute right to these Lands; he may sell, or give them—'Tis said, "They have been given to deceivers,"

and obtruders. And this will confirm them—and the only intent, "to strengthen some Letters Patents." If those Letters Patents are good already, they need no Act to confirm them. Purchasers since 1660 have alienated those Lands, by indefeasible title, and paid a consideration—Shall these pay for Reversions that never have received the profits?

Mr Neale. Those Lands are not worth so much as other Lands by four years value. I would have them

rated at two years value.

Sir Edmund Wyndham.] Since this of Re-affumption, &c., has been started, I would have something done; people else will fell them, and then you cannot touch them again, when you meet. Therefore I would charge them now.

Sir Gilbert Gerrard.] I would go farther than England: I would have the Lands given away in Ireland re-assumed,

and am ready to give my Vote to the Question.

Mr Powle. This Debate feems to me, as if you had given fo much the other day, that now you go a hunting where to find it. What may pass for good Grants in Westminster-Hall, may yet be judged otherwise here. To take away the patrimonium sanctum, was always esteemed a crime, and punished no where but here; legislatively, by Acts of Re-affumption. But then they have come with fresh pursuit after them. Parliaments may have intervened. Formerly it has been upon a hot scent. Something of crime there is in it; but not fuch as to make the intruder punishable in Westminster-Hall. When multitudes offend, general punishment is not thought convenient in Government. When the King came in, how many hundred thousand pounds were pardoned, which the Crown had a right to! But when 'tis to populously concerned, viz. the whole Government, it would do well that they paid a year's value, and that we confirm their titles. If you will go to a total Re-assumption of these Lands, you will destroy thoufands of families; and, I hope, by putting a year's value upon them, to have some account of them. In the

late Convention, there was a Question, that satisfaction should be made by the purchasers of the King's Lands. Twas then undertaken, that the King might have 100,000 l. a year, and the purchasers be satisfied for what they had paid for the Lands. There are not many hundred pounds a year of that left now in the Crown. Now, if you will go back to King James's time, Antiquity of possession does make a kind of right. There is always a distinction between the ancient Patrimony of the Crown, and Lands which have fallen to the Crown by Escheats. That is a casual Revenue, which the King has to give for reward of services done him. A year's value of Lands given from the Crown, from 1660, and a half year's value of Lands given, &c. from

King James's time, I shall agree to.

Mr Waller. I have heard that all Lands were first in the Crown, as in Doomfday book. Land-tax is a Re-affumption; we give back to the Crown what came out of it. I cannot imagine how, if the Common Law cannot fecure a man, an Act of Parliament should. Many men talk of Non obstante's, &c. The Common Law of England is of a fecond nature, a custom. I think, an Act of Parliament is no better than the Common Law, and I wonder at it, that, in King Stephen's great Wars, there was not one Tax laid upon the People. The reason was, because Land was so in the Crown; but at last Land coming fo out of the Crown into the Commons hands, they grew confiderable. There may be extremities in all things. What a world of Land would have come to the Crown, if the Act of Oblivion, that facred Act, had not been made! I would have a Committee to confider of fuch restrictions in this matter as may be equitable and just, and I shall approve of it.

Mr Garroway.] In this matter, I would ftir nothing that may be any occasion of discontent from the people to the Crown, as this may do. It may be of dangerous consequence, and I would be tender in it,

Sir Charles Harbord.] I have, both before and fince I was the King's fervant, endeavoured to prevent Grants Vol. V.

of the Crown Lands, &c. But when they are passed, I would not have the King less just nor honest than another man. You would not pass them by Act of Parliament, by charging them as has been moved. There are two forts of Alienations of the Crown-Land, either by Gifts and Grants, or Sales. In case of Gifts and Grants, you have confirmed some by Acts, &c. And they are good Grants in Law. If you can in justice improve the Crown-Land, you may. But make justice equal, not to undo a million of persons. There were mighty Grants formerly to the Duke of Buckingham and the Earl of Somerset. They were mighty things. Lord Dunbar had mighty things. All these were alienated to purchasers, freeholders, and the Law cannot dispossess them. I would go no farther than those Grants, &c. from 1660. But still that will not do your business in what these may bear. I would futurely ease Land, but for the present this will raise you little or nothing.

Sir Robert Sawyer.] Excepting two Grants to the Duke of Albemarle and the Earl of Sandwich, I think there are no Grants fold or given of the Crown-Lands that will in any measure do any thing. Grants that have referved the old rents, I suppose, you intend not to meddle with. I believe they come not to above 10 or 15,000 l. per annum, and to brand them criminal!—As the King has rewarded those who have suffered for him, will you let them who have bought and fold Bishops Lands, &c. go free? Will you let them alone? Whether are you going to raise 10 or 12,000 l.? So small a thing! There are two forts of Patrimony of the Crown. The ancient Patrimony of the Crown, and casual Attainders and Escheats. Escheats may be granted away. The ancient Patrimony, &c. is of above 400 years, and 'tis a great difficulty to bring that back to memory. When the Conquest was, all Lands were in the Crown. And in the Wars of York and Lancaster, the next fucceeding King called all in question. When a weak Prince had granted away the Crown-Lands, those sales have been called in question. And an Act of such

oppression as this will be cannot pass without some reflection upon us, who for some sew instances of rewards, that the Crown has given to persons of desert, &c. What is Law, is Law every where. When I consider how little this will raise, and what restection it will be upon the Government, I am against it. That casual Revenue of Escheats is kept separate in the Exchequer from the rest of the Revenue. I think it fit not to stir this matter, at this time of day.

Sir William Hickman.] Remainders in the Crown, but lately purchased out of the Crown, without a jointure, cannot be made, nor Lands sometimes sold. Abbey Lands may have Remainders in the Crown, and those

are the great bulwarks against Popery.

Sir Richard Temple. To fay "That no Revenue of the Crown is alienable," is strange; and if all the forfeitures in England were to be still in the Crown, it would have all England in time. Ancient Demesne in the Crown was never alienable. The late King Charles, out of a worthy refolution to pay his father's debts, fold fome of the Crown-Lands, and, perhaps, he was deceived in the value. But fince this King's time, you will find little alienated. You are now to confider, if it be reason to charge Crown-Land, sold since 1660, to be taxed diffinctly from other Lands. The King's Revenue in 1660, then stated, was a great work. All that was done then was, not that the Crown-Lands should not be alienated, but that leafes should be let upon improved value, and your Address to the King was accordingly. So that Revenue made up, with the rest, 1,200,000 1. But I fear you will not find the moiety of the improved value referved, upon leafing those Lands. If you intend to fee and examine that Revenue, 'twill be a great trouble, and not to be done. Till I hear why thefe Lands should be taxed more than others, I cannot give my confent. I would have you go on funds that you can raise Money upon.

Sir Charles Harbord.] The King has granted me four Manors of 400 l. per annum each, not a farthing pro-

fit to me, as long as the Queen lives. (This Sir Charles faid, upon Mr Goring's alleging be had Crown-Lands given him.) As I have faved the Crown 80,000 l. at a time, I defired only a mark of my fervice, and that is all.

Mr Sacheverell.] It would be a long roll to know the remainder of an Estate in the Crown of a Gentleman's Lands, and so he cannot alien nor fell; 'twill be a perpetual Entail, which is against Law. I would limit this Tax, to such Lands as have not been sold on a valuable consideration, of the ancient Crown-Lands, and

I am for that Question.

Sir Humpbry Winch.] I was formerly of that Committee of enquiry into the value of the Crown-Lands. The books were brought to the Committee, and in a recess of Parliament they took some pains, and made an extract of four volumes. The Revenue was then 18,000 l. per annum present rent, sold at the rate of 50,000 l. per annum. So if you add that to 70,000 l. it is 120,000 l. in the whole—But the present Revenue is but 18,000 l. per annum. I acquaint you with it, to this purpose. Suppose this raises you 50,000 l. The Question, "in reality worth," for the officers of the Army paid for it, in Tickets, and Arrears, at ten shillings value in the pound. Lord Sandwich and the Duke of Albemarle had 10,000 l. a year of those Lands—This cannot have a prospect of above 30,000 l. Now whether that will be worth your while, you may judge that Question.

Sir John Ernly.] The method you are in will hold you a month. You are to have a certainty to maintain your Vote, and whatever you can raise above, do it, but

fix 120,000 l. a month for the War, &c.

Sir Thomas Meres.] Where the King's Revenue is alienated, I would have all that out, wherefoever it is.

The Speaker.] This Debate must end in a Question. I am one of those that welcome all propositions that have a tendency to ease Lands. That of the New Buildings, which you voted yesterday, is of as great a value as apprehended at first, may do something towards easing

eafing Land, but this to-day will do lefs than nothing from a retrospect to 1660 only. I desire Gentlemen to confider the bottom this ftands upon, and the charge upon that Alienation. The whole is not above 100,000%. a year, and some is disposed of by Act of Parliament. Some to the Duke of Albemarle, and to the Earl of Sandwich for his early repentance. Several Lands, by Act of Parliament, have been commuted. Cast your thoughts a little, and remember that never any King came into his Kingdom with fuch a debt of bounty as the King had to reward. Though their interest was given up for the public peace, yet some compensation they might expect of their lost fortunes, for prefervation of the Government; and you now lay upon them a charge for that loyalty. If you lay the charge on these Gentlemen, 'tis unjust; if on the purchasers, 'tis so too. It will raise nothing, or worse than nothing. I would lay this Debate aside.

Upon a Division, &c. the Reassumption was laid aside \*.

Col. Birch. ] " Upon Williamson's Saying, Why should we lose this day so shamefully?" I believe we are not in earnest for a War, when we shall lay the Money that is to maintain it upon Land. When we began this, &c. I was for ready Money to be raised in two or three months time; and that is the outfide I will offer you in any thing. The Tax on Land must occasion the King's paying interest, and you will have the same dishonour and loss by it, that you had before. The Navy cannot be hindered going on, or elfe fo much Money out of the Customs given for the Navy makes nothing. Perhaps want of Money for these 15,000 men may be pretended. I hope they will be 30,000 men. But I would not have them stay here. We are weary of one thing and another to raise this Money upon, and at last we shall jump into fuch a Tax that we shall all miscarry in. If you lay this upon Land, you will fall into all the extremes of interest upon interest; and thereby you will have 200,000 l. of the

This being in the Committee is not mentioned in the Journal.

600,000 l. for Ships in the Exchequer; for that Money cannot be spent yet upon shipping. I would give an answer why we sit still: and as to what is farther offered, I have a Poll-Bill under my doublet. I have read it, and considered it; and what was in the last, was in the execution of it. Yesterday you took but an ounce of blood, and if you take not more, the body will be sick still. This Bill is for charging all people, that pay no Land-Tax. In Land-Tax twenty eight of thirty are not taxed. In the Poll, all may be, and Money may be reached.

Sir Thomas Meres.] Though pensions were not reached in the last Bill, (it was lost but by six voices) I hope they may come into this Poll-Bill. But though Land bears not the charge, yet landed men do. This is to make children of us—But yet I know not a better way. I hope the House will retrieve this again of pensions, and I would try it.

Lord Cavendish.] "Offices that have large profits, and do little fervice," if you please, I will give you a

lift of, for your fervice.

# Thursday, February 21.

In a Grand Committee. On the Supply.

Col. Rirch.] I moved, the other day, to bring in a Poll-Bill; that people may be registered in the parishes, that walk about the streets in good cloaths, and may pay something towards this charge, who spend more in a week, than a farmer can afford to do in a year. Not two, of thirty of them, are taxed by Land-Tax. All the Money coming up to London, to the head, I would take some blood from it, by a Tax upon New Buildings, and that is but an ounce. I would poll this fort of people.

Sir Thomas Lee.] Pray do not fay, "Here I can have you, and there I can have you," I would not tax every man in every capacity, as was moved by Wheeler,

to have this Poll, after the other Taxes,

Mr Swynfin.] This Poll-Bill was offered you with great affurance, to leave all your Lands untouched. I would have Gentlemen confider that you are to raife a fum certain, but those that bring these things in, tell us not how much they will ease Lands; they tell you with no manner of certainty what sum this will discharge. Let us go step by step, and know first what this will amount to; some think half the Money, and some more, and thereby we shall lay still as much upon Land, upon this uncertainty. You have one instance of that of the New Buildings. I would have the certainty stated, how

much this will eafe your Lands.

Mr Secretary Williamson.] What I move you, must be the result of your Debate. Before that be, can any man tell you precifely what this will amount to in the estimate, and what falls short to lay it upon your Land. I wonder, by this way of reasoning, that you lay it fo hard upon Land first. I know not how the Gentleman comes by that proposition, "That there is no haste of the Money," by this way of projecting. In the mean time, whilst that Report of the Buildings is coming from the Committee, 'twill be plain and certain that it will not make the whole. I take it for granted, that we must see what these things will bear first, for Land must but bear what it can. The method I move for is a short way. And the Poll is a more ready way than you can lay any thing upon Lands, and I move that + \*\*\*\* may be raised on the Poll-Bill.

Mr Secretary Coventry.] I doubt that reason given by Birch, "That we are not in haste," will not hold, &c. I believe you are in greater pressures now, than when you shall be in a War. Every day that you lose now, before you come to a resolution, for ought I know, you put still more charge on your Land. For as the War lasts, Land must pay. Whilst we are thus leaping from twig to twig, how to raise this Money, I fear most of the considerable places of Flanders will be taken. [On] this or any other expedient, if the Debate be long, a post or two may bring you such news as

three Polls will not make amends for. Not one man believes that the New Buildings will raise a Million, or the Poll-Bill. The event of this War depends upon your expedition.

February 22. [Omitted.] adams. I olas Hivr year fount

# Saturday, February 23.

In a Grand Committee. [On the Supply. Poll-Bill.]

Mr Garroway.] If you tax the East India Company, you will discourage that trade, and the Hollanders will get it from you! That trade which you have already is more worth than their whole Country besides.

Mr Powle.] I would be informed how the East India Company are taxed in Holland towards the maintaining the Government. I have heard they are taxed, besides their Customs, and I doubt much their Patents, how

legal they are.

Mr Secretary Coventry.] I know no reason why they should not be taxable, as they are Corporations, if their Actions in trade be so great, as they are represented, of so many particular men. Money in the East India Company is Money; a man must pay it, unless be swear himself off.

Sir Obarles Harbord.] If you take the Company as a body politic, that's a part; but if you tax their Actions, tis an adventure, a casual thing, and a person is not to

be taxed twice over.

Sir Robert Sawyer. There is a stock in the East India Company, as men are Members of it, and a supervenient stock, as borrowed. The several Creditors pay for that, besides the stock the Members of that Company have of ready Money, whether out or in chest. The Member of the Company will say he has no Money, for the Money is the body politic's; and this is a point of Law that they make use of to their profit. I would have you tax them.

Sr William Lowiber.] That Company does furnish the King with as many brave Ships, as any body of

men do; and I would not discourage them.

Sir Thomas Clarges. In Holland, they lay not any Tax on trading Companies, but on private mens stocks. The King of France encourages trade, but great Cities. as Paris and Rouen, pay not a farthing of tallage, any more than the greatest nobleman. They buy Land within fuch a diftance of the City, and have it tallagefree. Here Merchants are taxed for their degree, and their Houses, and now will you tax their stock too? Their stock is in a body politic, a bundle of polls, as one person is one poll. How will you diftinguish stocks to make the Tax practicable? Where will you gather it? The stock is fluctuating. Will not you tax the Guinea Company, the Turkey, and Eastland Companies? Must this Company be your mark only? At this rate, they will have every joint taxed. I am against the Question.

Mr Garroway.] If you tax those Gentlemen of trade. you put more upon them than you do upon all England. The credit of the East India Company is so secured, that you may call for your Money to-morrow, and have it; and the Company, before your Act pass; may

have 100,000 l. called in, and you get nothing.

Sir Richard Temple.] If you tax the East India Company barely, you tax but the ancient stock of the Company, which was not near fo much as now it is. But now the Actions are worth 100,000 l. and will you not tax particular Actions?

Refolved, That part of the 1,000,000 l. to be raised to enable his Majesty to enter into an actual War against the French King, shall be raised by a Poll-Bill. And a Bill was ordered in accordingly \*.

as follows: "All Debts and ready Money were taxed, together with all persons exercising any public Office, Place, or Employment, or receiving any Pensions or Stipends from his Majesty; all Judges, Serjeants at Law, Counsellors, At-Notaries; and all persons practising Gentleman having an Estate of the Art of Physic; all Servants receiving Wages; all persons other than persons holding two or more bene-

\* The Heads of this Bill were such as receive Alms of the Parish, and their Children under fixteen years; all Dukes, Marquesses, Earls, Viscounts, Barons, and their eldest fons; all Baronets, Knights of the Bath, and Knights Batchelors; all Esquires, or reputed Esquires; all Gentlemen, and reputed Gentle. torneys, Sollicitors, and Scriveners; men; all Widows according to the all Advocates, Proctors, and public dignity of their Husbands; every

The House taking into consideration the way and means of finding out the Bill that is missing, entitled, "An Act to prevent clandestine and irregular Marriages,"

Resolved. That the Protestation following be made and sub-

scribed by the Members of this House, viz.

I do protest before Almighty God, and this honourable House, that neither myself, nor any other, to my knowledge, have taken away, or do at this present conceal, a Bill, entitled, an Act, &c." In Testimony whereof, I have hereunto subfcribed my name." ]

February 25. [Omitted.]

## Tuesday, February 26.

The Poll-Bill was read the first, and ordered to be read a second time.

[Debate on the Alliances, &c \*.]

Mr Secretary Coventry. The condition of the Confederates is as dangerous now, as I told you formerly it would be. Ghent is taken +, and how this comes to be, I know not. The King offered to fend men over into Flanders.

fices, with cure of fouls, amounting together to the clear yearly value of 120 1. all Merchants, Strangers, and Jews; all Doctors of Divinity, Law, and Physic, except Doctors of Divinity which have no ecclefiastical benefice; all Merchants trading in the port of London, and not being free of the City; all Merchants and others using any trade or manual occupation, and holding a House of 30 l. per annum within the City of London, and Bills of Mortality; and all Members of the East India and Guinea Companies, for their share in the joint stocks of the two faid Companies."
This Debate is not mentioned

in the Journal.

+ At this time the King of France made a ftep that ftruck terror into the Dutch, and inflamed the English out of measure. Louvois, till then, was rather his father's affiftant, than a minister upon his own foot. But at this time he gained the credit with the King, which he maintained fo long afterwards. proposed to him the taking of Ghent; and thought that the King's getting into such a place, so near the Dutch, would immediately dispose them to a Peace. But it was not easy to bring their Army so soon about it, without being observed : So the execution seemed impossible. He therefore laid fuch a Scheme of Marches and Counter-marches, as did amuse all the Allies. Sometimes the defign feemed to be on the Rhine; fometimes on Luxem-burgh; and while their forces were fent to defend those places, where they apprehended the design was laid, and that none of the French Generals themselves did apprehend what the true defign was, all on a

Flanders, but was not permitted to do it, unless he figned a Treaty, in one Article whereof they defire the King to fet out 90 Ships, and 40,000 l. as the Allies should think fit. The King of Spain is to set out as many Ships as he could, to be disposed of as the Allies should agree, and Galleys. And though the Duke de Villa Hermosa will not put Ostend into our hands, yet we may put men into it. The Spanish Minister received Letters on Sunday, and did not acquaint us with them till Wednelday. Then he brought a paper of Articles, of what he would refuse, and what take-If we fend not Men, [there is] no Alliance at all. You have been told, That our Ships will be ready by the end of May. if Money be timely given;" and, without this Money you are giving, they can do you no good. If the King of France goes on thus, I know not where it will end. Saving ourselves is our end-I would have you but show where the King may have this Money-Else the Ships cannot go out at all. Allow fuch Money. if this cannot be ready, as to make a Fund for Credit; elfe, you must be without a Fleet, without Troops, and, for ought I know, without Allies too.

Lord Cavendish. You have had a lamentable Account of the condition of the Spanish Netherlands. Had the advice of this House been taken a year ago, they had not been in so ill a condition now. Coventry fays, "There is a necessity of helping the King, by Credit, to ready Money." Nothing can be more ready than the Poll-Bill, and, if they know a better Fund, I

desire to hear it.

Mr Secretary Williamson.] Though a Poll-Bill be fudden and near at hand, yet you may allow fome

sudden Ghent was invested; and took Ypres; for he had no mind to both Town and Citadel were provoke the English. He was sure quickly taken. This was Longois's of his point, by the fright this put the Master-piece; and it had the intended effect. It brought the Dutch in. We were much attended effect. It brought the Dutch in. We were much attended effect. The French Monmouth was immediately sent the Monmouth was immediately sent over with some of the Guards. Offend, and Newport. But he only [2800, and other troops.] Burnet. Fund for the King to take up Money upon, whilst the Bill is passing. You may allow something, in the interim, to enable the King to go on by taking up

Money.

Sir Thomas Meres.] We are told, "That for want of Money, Ships cannot go out till the end of May." Why met we not then at Michaelmas, to have considered that? Debates of Parliament must have time; and we have had crowding in Debates of the manner of raising this Money, &c. Let the saddle be set upon the right horse—There is a Clause to raise Money upon interest in the Poll-Bill. If that will not do, let others show you a way to do it. This should have been thought of six months ago. If any man can show you a better thing, let it be offered. It must have its due parliamentary gradations, whatever it is.

Mr Mallet.] Good might have been done at our last meeting, which cannot be now, Mr Speaker, by your desertion of the Chair, which I hope will be a warning to you for the future. We are ready now to give the King assistance to support his Alliances, and I wish our Counsel had been taken before England was blown about by the uncertain winds of Proclamations for putting off our meeting. Hereafter, I hope there will be a regular succession of Parliaments, to prevent these things. But I would have the honourable Counsellors, here by

me, know, that Counfels have been ill.

Sir Thomas Clarges.] I would have the honourable person a little explain what he means by "our Ships in this business." If there be an Alliance, the thing is already done. But I would know whether the King is pleased to have the advice of this House about the Alliance that has been made—4 Henry V. He was a great Prince, and had War with France, and always exposed his intentions to Parliament. If it may be so now, I move that we may go into a Grand Committee presently.

Mr Secretary Coventry.] 'Tis not my fault, for the

King has made Alliances.

Mr Secretary Williamson.] I humbly beg you to value the two Bills before you, and let the account be called for, how the New Buildings are stated.

The Speaker.] I have fent to the Parishes thirty seven Orders, to make speedy returns \*, and that is all I can

fav to it.

Col. Birch.] I agree with Clarges, " not now to be finding faults." I would do as much as any man that fees no more than I fee. If the thing had been done (Alliances) as clearly as our Address was made for them, this had never been. The Spaniard, it feems, you are told, will not be faved. You were told so a fortnight ago. I know not this Ghent, but 'tis said to be a great place, and all the rest will fall as fast as Ghent. The French made no line of circumvallation; and all the rest will follow. If this be gone, I know not how the United Provinces can stand. If they be in jealousies and finding faults, as is faid, what is now to be done? I am glad to hear there is any way to fave them. It is faid by some, send them present Money; and if any man would think to move a thing afar off, it must be the New Buildings. No Committee can go fo fast in the valuation of them as the Parishes, and that will be the last. If Money will fave Flanders, I would borrow Money myself to do it. I am for quick doing it. Gentlemen know what comes in by Customs weekly. If we are in this streight, all manner of charges upon the Customs for three months must be stopped, and that will do it. There are vast sums in pension upon them; fuspend them for two or three months, and when the Bill is finished there may be a Clause for reimbursing the King the Money. If we are in extremity, 'tis just to take our neighbour's bread and eat it, rather than starve, and not to run about the town for Money. I have known a worse House of Commons than this draw a short note, upon an extraordinary occasion, to secure fuch as would advance Money †, and it was reputed an

+ What is now called, " a Vote of Credit."

<sup>\*</sup> Agreeably to an Order of the House, on the 22d.

by Bill. I would know what that fum is that will do this work. I could never believe but that the Customs may pay a fourth part of the Navy-charge, and victuals. And for stores, I believe, we are provided, having given Money for them already. And for Hulls, wear and tear, they are paid for—But if this will not do, I would know what they require to thrust the Fleet out; whether 150,000 l. will do what is absolutely necessary for our safety? And we know what will do the rest of the work.

Mr Secretary Williamson.] 'Tis a strange and monstrous thing, that Spain will not be saved, by what men we can send them. The King might have sent 6000 foot, by this time, and Spain would not accept of them. The Ratissication of the Treaty is come back to Holland; and I hope that, the several districts of the Provinces being returned, you may, upon that, take resolutions.

Mr Garroway.] This is fo great a riddle, that I know nothing at all of it. You are told now of great dangers that Flanders is in, but they are no more than we faw the first day we came here; only the French King is not so complimental a Gentleman as we thought. I would know, Is it a League, or not a League? War, or no War? To tell us of "a League" and a "Ratification!"— I see nothing of it, and know nothing of it, and can say nothing to it.

Sir Henry Capel.] I fear we are not ripe for a Question, but I would not have you go off without some fort of resolution. Faults appear, and we are told of the danger; and Motions are made for Supply for the present occasion. Here is no answer given to what Sum is requisite. Therefore I move to adjourn the Debate till to-morrow, and let the honourable persons, by that

time, prepare a Proposal for a Sum.

Mr Sacheverell.] I would gladly know what our Ministers expect from Spain, more than is already offered. We boggle at what they proffer, which is all they can

do, and we having brought them fo low, what can we

require of them more?

Mr Secretary Coventry.] A man that wants Money, and will not be bound to pay it again, is our case with Spain. If the French make a descent into Ireland, or Jersey, or Guernsey, they will not suffer our Ships to go out of the Mediterranean, as they must be employed as

they think fit !

Mr Garroway.] If Gentlemen will speak out, 'tis we that have put the Spaniards into this condition, by our sending so many men over into France. Spain, in reason, will not keep that always; that is a burden to him, which was formerly their own Nursery for Arms. Coventry says, "'tis our concern'—and we are told of a League in the dark, to make us ridiculous to all people. When I see the League, I will do as much as any man. But as yet I know not where we are.

Mr Secretary Williamson.] Something I said, "That I believed the Spaniard was not willing to be saved." But if Flanders be lost, they lose that which brought 500,000 l. Revenue, and maintained the War, and that which is as equal to us as to Holland, the neighbourhood of the French; and 'tis one of the fatallest Counsels that ever came from Spain—If an Angel gave light, I could have no more satisfaction; and more, man

cannot give man.

Mr Garroway.] What I say is, that still we are more in the dark; we never had any thing of Alliances communicated to us, but in general. I will submit my fortune to God, and, if I am in an error, I will ask your par-

don for it.

Mr Powle.] The honourable perfons are now run aground, and must come to the House, to help them off. They are now past remedy. I cannot hastily look forward, till I look backward. I find our Ministers have the same inclinations and Counsels towards France. We have made several Addresses to the King, with assurances of our standing by him in supporting Alliances, when communicated to us. But the conditions of these Addresses have not

been performed, no Alliances have been imparted to us, and we are absolved from our promises of supporting them. We are told, "There is a Ratification of a Treaty from the States General." They are as large a body as we; and it must be communicated to their principals. If this Treaty be known in Holland, why must it be a secret here, unless there be something in it, that we must not know? The Spaniards have just cause to hold back, feeing to much partiality in us towards the French, and will not put themselves into our power. There is no remedy in this case, but to address the King to enquire from whence all these ill Counsels come; and to befeech him to remove the Conduct of his Affairs from them and put them into other hands. And this would remedy things for the future. I did fay, "the States General were a fmall number," but when they confult Leagues, their particular Provinces must be

made acquainted with them.

Sir Tho. Meres. ] 'Tis usual, when men cannot answer the Substance of a Gentleman's Speech, to find fault with the Circumstances. They that find fault with our greatening France, are not Privy Counsellors for Spain; we are for ourselves. But we are told we must not look back. But why will Spain be hurting himself, and not accept of our affiftance? I cannot imagine the reason; unless it be, that you have helped to make him desperate. A man must want tongue and sense that sees it Some years fince, we might have feen Spain declining—The Triple League, who broke it? When great fums were got from us in Parliament, then our Ministers destroyed that League, and sent men into France, and the Netberlands were loft. And then we faid, " Pray leave War with Holland" (in our Address to the King) and can nothing work upon a House of Commons but necessity. 'Tis strange that we mind not affairs of premeditated Counfels, but always upon necessity. We gave 1,200,000 l. upon necessity, and we gave it unwillingly, for we destroyed Spain by it-And now must we not see who gave those Counsels? With much labour we had an inclination of Peace towards Holland; but we went on still to hurt Spain, by affisting France. This House, from time to time, has foreseen this, and addressed the King to remedy it; and thus it is that Spain is so low, and we have contributed to our own ruin. Little Counsels on your table will not remedy this; they will not do it. But I fee nothing of light, though you address the King, and have no Negative in the House. I have much more to fay, but pray give me more time to speak of it.

Sir William Hickman.] I move that we may adjourn till to-morrow, to think of this great affair; and we must go backwards to review things; and God give us

a bleffing!

Sir Eliab Harvey. Does any man think that giving the King interest-money, to take up a present sum upon, will make the French King give up Flanders?

Lord Russel \*. ] I think that Flanders is in a manner loft, and, if not timely thought of, England may be loft too. I would adjourn the Debate, to confider how we got into this Misfortune, and how we may get out of it.

for his inviolable attachment to blemished in all respects. He had, the Protestant Religion, by warmly promoting the Bill of Exclusion (as will appear hereafter) being tryed and condemned for a pre-tended Conspiracy against the King, was beheaded, or rather sacrificed, in Lincolns Inn Fields, on July 21, 1683. Bishop Burnet's Character of him is as follows: " Lord Ruffel was a man of great candor, and of a general reputation, univerfally beloved and trufted; of a generous and obliging temper. He had given fuch proofs of an undaunted courage, and of an un-shaken sirmness, that I never knew any man have so entire a credit in the nation as he had. He quickly got out of some of the disorders into

\* Son of the Earl of Bedford, who and ever after that his life was unfrom his first education, an inclination to favour the Nonconformills, and wished the laws could have been made easier to them, or they more plyant to the law. He was a flow man, and of little discourse: But he had a true judgment, when he confidered things at his own leifure. His understanding was not defective: But his virtues were fo eminent, that they would have more than balanced real defects, if any had been found in the other." His father was created by King William and Queen Mary, Marqueis of Ta-viflock, and Duke of Bedford, and among other reasons for conferring those honours, "This was not the least, that he was father to Lord which the Court had drawn him, Ruffel, the ornament of his age,

# Wednesday, February 27.

The Poll Bill was read a fecond time, and was committed to the Grand Committee.

Mr Sacheverell.] Excepts against several things in the draft of the Bill.

Sir Tho. Clarges. Here is no appropriating Clause in the Bill. In the Dutch War there was 1,200,000 l. for the Fleet, and that year the Land was invaded, for want of a Fleet.

Sir Thomas Lee.] The borrowing Clause has yet no direction. By the drawing the Bill they are very careful that the Money may be spent, but there is not one Clause of Appropriation to the French War. The best appropriating Clause you can put in is, "that all French Manufactures brought into England may be burnt, and the growth of that Kingdom, &c. and they that bring

any in, to forfeit the value."

Mr Sacheverell. On the Bill for forbidding French Commodities, which you ordered the beginning of February, the Committee scarce ever sat. If we have War, we shall have no Commodities come over; but if we have no War, I would have no French Manufactures come in for three years. And that will be fome recompence for this Bill. I would have the goods destroyed, wherever they are found in England, and the person that brings them in to pay the value. I defire a Claufe may be to that purpose.

Sir Eliab Harvey. ] By fuffering French Commodities to come, in that abundance, we do maintain his Army to fight against us to doomsday. I see there is no likelihood to preserve Flanders, therefore I would now do fomething for the good of England. We see that our men in France are not yet come back. By this

to transmit, by History, to posterity, but they were willing to re-cord them in their royal Patent, love to their Country, constant even to remain in the family, as a mo-to death." See the Patent. The nument confecrated to his confom- present Duke is his Grandson. mate virtue, whose name could ne-

whose great merits it was not enough ver be forgot, so long as men preferved any effeem for fanctity of Prohibition, we shall see whether we are in jest, or earnest, for a War. And I would have such a Clause

brought in.

Mr Secretary Williamson. The Prohibition of the importation of French Commodities to be by a Law, is very just and necessary. 'Tis now moved that it should be part of this Bill, but I thought it would have been by a Bill apart. As it is moved now for a Clause in this Bill, it seems, that whether War, or no War, here is to be a Prohibition univerfally, in all state of things, and all times. This will not confift with the state of neighbourhood, nor Laws of intercourse of the whole World—That is not confiftent with any other state of things, but the state of War. As to the manner of doing it, how far you will make it necessary to this Bill—'Tis of dangerous confequence, and may be very unfortunate, Possibly there may be one precedent of it, but I beg this may not be the second, and may not be part of this Bill.

Mr Sacheverell.] I think Williamson did not take my Motion right. I made it not with intention to have the Prohibition perpetual, but temporary only for three years. We have had three, and three, and three years, and no Articles of Commerce with France, which is a Million of Money detriment to the Nation yearly. We are going into a War with France, and yet, it seems, we fear giving them offence. Williamson says, "This may be of evil consequence, and may be unfortunate, &c." But I say, 'tis the only good thing to put into this Bill, else you will never have the Prohibition at all. 'Twill go with the Money-Bill, and I pray we may have this little thing with the Money, which is the only compen-

fation for our Money.

Mr Secretary Coventry.] Williamson said, "'Twas not usual in Peace to banish all Commerce with a Neighbour." To have no Wine, Salt, Linnen, Silk worked, or unworked, nor Brandy—'Tis plain that Trade will ruin us, as now it is with France, as much as any War can do.

Col. Birch. I like this Debate, for many reasons; especially that this House of Commons is not afraid of the French King. I think with Coventry, 'tis better to express in the Bill in particular words than in generals. 'Twas faid by Williamson, "That this is unneighbourly." Was not the imposing of 80 per Cent upon our Commodities in France unneighbourly? And the French King did it before I told you of "a Crab-tree Cudgel," or that we had any thought of the War. I would have all French goods imported after fuch a day, destroyed. In this Bill it will be better than in a Bill by itself. More of these Commodities are come in, since we talked of prohibiting them, than can be spent in three years. I would name those Commodities you would prohibit, and put them in this Bill. I am for fo doing, because fince he has been fo unneighbourly, in natural reason we are not to trade with him. If it be Peace, this Prohibition, &c. is just between Prince and Prince, and not unneighbourly. It only makes a balance between Kingdom and Kingdom—The Clause for Credit to take up Money upon this Bill, for prefent Service, may be at the latter end of the Bill-If the French King be in earnest, the next news will be his taking Oftend and Nieuport. I would not therefore let the French King fee we are not able to enter into War with him, without the charge of Land-tax, and all. I take this opportunity, because we may have credit to purpose to put in New Buildings too, and have but one Bill-And as for all Commodities now here, I would, in the same Clause, enumerate sellers of all such Commodities. If this Poll-Bill be executed as former Bills were, there will not be above 400,000 /. raised by it. If by such Commissioners as will go through with it, it will make twice as much—That the World may fee you charge not your Land, but keep that for the last.

Mr Sacheverell.] I find my Motion is mistaken. I named "Linnen, Wine, Salt, Paper, [Brandy,] and Silk." My meaning was, that the Merchant might have

time to fell what are upon his hands, abroad, and not here; and to have time given him.

The Question [for annexing a Clause to the Bill] for Prohibition of the said French Goods, &c. for three years, &c. [and also for an appropriating Clause, passed in the Affirmative, and was agreed to by the House.]

Sir Eliab Harvey.] I move, as a Merchant, that what the Merchants vend here you may rate what you please, but lay nothing upon those French Commodities that go out of England to be vended. They will raise Brandy from 35 l. per ton, to 60 l. per ton, and so of other Commodities.

[February 28. omitted.]

### Friday, March 1.

In a Grand Committee. On the Poll-Bill.

Mr Mallet.] I would have Serjeants that come to that Dignity, and have not read, (illiterate, &c.) rated double, in the Poll, to them that have read. The Posy of their Ring is, "Ex gratia regis, non operibus legis." And I move that "Dutchesses younger sons" may be rated likewise (reflectingly.)

#### Saturday, March 2.

[In a Grand Committee. On the Poll-Bill.]

Mr Sacheverell.] I move for a farther power to the Committee to inflict penalties on retailers of French Commodities, after a time limited for the vending those Commodities; and after such a day none to be imported, and Instructions given to the Committee accordingly.

Mr Secretary Williamson.] Unless you expedite this Bill, no more affistance can be sent into Flanders, than is already; unless more Money be raised, which this Bill must give the King Credit to raise.

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Mr Mallet.] I would not have Williamson reflect upon the House. I have been present at gving many great sums, and never greater expedition was made in any Bill than this,  $\mathcal{G}_{\mathcal{L}}$ .

# Monday, March 4.

In a Grand Committee. On the Poll-Bill.

On the Clause for prohibiting of French Commodities, reported by Mr Sacheverell.

Mr Secretary Coventry.] When a War has been without Prohibition of Commodities, and in Peace a Prohibition, &c. 'tis improper for either. If it be Peace with France, this Prohibition of a total and universal Commerce is without precedent. In War this Prohibition is practicable. If you say "during War, of in relation to War," you cannot make an Act of Parliament for the durance of the French War. You make French Commodities "a Nusance, for a year and a half," which is a malum in se, perpetual and eternal. Therefore I would have you enumerate the principal Commodities we are damnified by. I am not against that, but would not make an universal Prohibition.

Mr Sacheverell. I moved not at first for the general words; only for five or fix Commodities. But the House has ordered all, and now 'tis not to be altered. As for what is said of "a Nusance to be perpetual," stop a Light for a year, and 'tis a Nusance as much as if stopped for ever. The Nusance is the opposition of your Law, as much as the thing, as in that of Irish Cattle. (And so be opened the Order of the House, &c.) "No Wine, &c. or other Commodities of the Growth, Product, and Manusacture of France, to be imported for three years." Last Saturday the Committee had power from the House to inslict Penalties, &c. for importing them after such a day. The design is to consider, not the Commodity so much a Nusance, but the breach of the Law.

Sir George Downing.] I defire that the particular Commodities may be enumerated, &c.

Sir Thomas Lee. ] Takes Downing to Order, &c.

Mr Garroway.] Pray read the Clause, paragraph by paragraph, and pass it so. I am as earnest for this as any man whatsoever, but not for putting it so exclusive as to all Commodities, but strictly to hold us to "Salt, Brandy, Wine, Silk, Paper, and Linnen," Nothing will do but downright to prevent the King of France from keeping an Army to destroy us, by this trade. Go paragraph by paragraph, and you may retain what Commodities you please.

Sir John Ernly.] I am for the Prohibition of these six Commodities mentioned; but withall to prohibit Commerce will not do. It is to show your teeth and not bite. It occurs to me that the Victuallers have made a great Provision of Brandy, and beveridge, for

the Navy. All the rest I agree to.

The Committee went to the House for farther directions, and received them.

[Debate in the House.]

Col. Birch. This Clause coming from you, I question whether the Committee can leave out any thing of First, here is not a word of Ireland in this. If Ireland be named, then it is bound by our Law; if not named, 'tis not bound, and French Commodities may be poured into Ireland, and fo this Prohibition do no good. You fay, "upon their Importation, veffels shall be staved, &c. and goods burnt, unless they be prize goods." You fay, "the Importer shall be punished." You will never know the Importer, and the Informer will do nothing, for he will have nothing for his labour. I would have the Clause run thus; "That the goods being condemned for French, &c. the Informer shall have so long time to export them beyond sea." When you formerly expected 2 or 300,000 l. upon forfeitures on the Prohibition of Brandy, the Importer cast Liquorice, or Aniseeds, into it, and no Jury could ever find it to be Brandy, and so the Law was eluded.

Mr Garroway.] Liquorice, &c. may be cast in on ship-board, &c. but I would have the vessel that imports it,

forfeited.

Col. Birch.] But I put this, as to shallops, who take wool away, and have it tumbled in, in Creeks, as they

may likewise land these French goods.

Sir Tho. Lee.] The Debate is not lost by speaking to it in the House. One thing is necessary; consider one fort of people, Valet de Chambres, who are hawkers of French goods, and, perhaps, live in better places, that the Constable cannot reach them. Wine may be sold out of the King's Cellars, and Ladies may sell Points. I would therefore have directions given to the Officers of the Green Cloth, that search may be made at Court, for [French] Silks, points, and Wine, &c. which they sell there, under colour of privilege of the place.

Sir George D.wning.] I move that the Clause of p-propriation of the Money to the French War may be reported, before the House goes into a Grand Com-

mittee.

#### In a Grand Committee.

Sir Robert Sawyer.] A Writ of Apprifal goes out from the Exchequer, and then letters of compounding are obtained, which, perhaps, are for a third part of the value, and they agree for much less; so more is got by the Prohibition of these goods, by selling them accordingly, than if the trade was free. Your design is to exclude them totally; they pack the prohibited goods up with things not forbidden—Multitudes of prohibited Commodities, if sound, are seized; as painted glasses, and hobby-horses, &c.

Mr Sollicitor Winnington.] I would not have the Clause run, "All things particularly forbidden already by Law." It will put the tradesmen upon difficulties to search for such Laws; therefore either name the Commodities particularly, or name the Acts wherein they

are.

Sir Robert Sawyer ] The Customers know all the prohibited goods, and there is not one Officer in the Custom-House, but knows all the Laws without book.

Mr Swynfin.] You are now prohibiting French Commodities, by name, and now 'tis offered to make the Clause, "All other Commodities prohibited by any Law in being." These two cannot stand in the same Clause. "Brandy, Wine, Silks, &c." you prohibit after such a day; but if you put in "those in Law already forseited," those that are not may in the mean time be brought in; and you in a manner lessen those Laws in being. It weakens the Law in being, and I am against its standing in the Question.

Mr Sacheverell.] The Question is only, whether these fix Commodities prohibited be not effectual to make an

experiment for three years.

Sir George Downing.] Wrought Silks do not comprehend Gold-wrought work, but in the Exchequer are confifcated ad valorem—Else they are wrought Gold.

Mr Garroway.] I would have a competent time, for the whole Kingdom. I care not how doubtful it is, so it be not a snare—And in such manner as may be

encouraged.

Sir Thomas Lee.] In that Clause of "Royal Assent," which the Lords put into Sir John Coventry's Bill, we differed with the Lords upon the account of uncertainty, and the Session of the Old Bailey was put off upon that uncertainty of Royal Assent—For what has been really and honestly bought, before this time, in France, I would not have them in a snare, therefore I would put it to a certain day; but not upon the issue of Royal Assent given, for that is an uncertain issue.

Col. Birch.] You do not intend a long day, to store you with these Commodities. I would have the far-

thest day to be Easter E.ve, the 29th of March.

Mr Garroway.] I am against putting in "Ireland." The time will be too short. I would not have the Merchants wander up and down with their goods, and attempt stealing them in here. I would only have that time for England, and Wales, and town of Berwick upon Tweed, Guernsey, and Jersey.

Mr Powle.] I know no reason why Guernsey and Jersey should be prohibited this trade; 'twill be but a small quantity of French goods that will be brought in thither. I know not that you ever did it in any Act of Parliament. These being the depository of goods, and the Dutch being the universal Carriers, they may put in and land them, in order to vending them elsewhere.

Sir Richard Temple.] I fear it dangerous to be a depository there, and you may have them, by that means,

brought hither.

Sir George Downing.] The Isle of Man will certainly store Lan ashire with French goods, if not comprehended, and Jersey and Guernsey will store other places. I would therefore have them within the Bill; and I would have these words added to the Clause, "Goods brought in by Land, or imported."

Mr Garroway.] The main prospect of the Bill is to keep these goods from coming on shore. Goods deposited have been embezzled in the King's very Ware-

house, and rags and rubbish put in their stead

Mr Secretary Coventry.] How can a man tell but the Wine is let out into another vessel, and they have pretended leakage?

Mr Garroway.] The veffels are to be staved, and so

the Wine can never come ashore.

#### Tuesday, March 5.

Sir Thomas Meres reports an appropriating Clause, [to be added to the Poll Bill;] viz. "All Moneys raised by this Act, except the Fees of the Exchequer, shall be applied and appropriated to a War against the French King, and no other use, &c."

Mr Secretary Coventry.] I suppose you intend this Appropriation, and Penalties, &c. "for otherwise disposing this Money than to a War against the French

King, when the War shall be begun."

Sir Thomas Littleton.] I hope, before the Act be paffed, of this Money, the War will be begun. This Money is to enable the King to enter into a War now. Two months hence, when the War is begun, and two

or three thousand men have been killed, "to enter into a War," is a contradiction. The words "entering into a War," may be a trap to the Officers of the Exchequer in issuing out the Money, &c.

Sir Thomas Meres.] What is done is for a War, and 'tis hard for us to fend men by fea, or land, &c. and not have Money to pay them, when they come home.

So the words in the Clause are plain.

Sir Tho. Clarges.] The words are very well in the Clause, as now they are. We were told before, "Give Money, and there was a War;" and 'twas "taking the King of France by the beard." If so, what need all these difficulties? This that we are about to give is a great sum, and I know not when we shall speak here again. If we have no War, there will be no farther use of us, All Letters from Holland say there is a complaint of the Confederates, that they do nothing; they are quite down, because we talk of War, and declare it not. When we took the Smyrna Fleet from the Dutch, we made War, and declared it afterwards. If there be a doubt of War, I would have us address the King to declared already.

Sir John Ernly.] Till such time as it be known to be War, I will not sign any Warrant of the Exchequer, for issuing out this Money, and no Officer of the Exchequer can be safe to sign any till it be a known War.

Sir George Reeves.] I would have a word, or two, to mend this Clause, that Commissioners may serve you securely, viz. "For, and towards, a War with the

French King."

Sir Charles Wheeler.] Is it your meaning that when an account is called for, this Money shall not reach to that, if shortly a War be declared? And for all the preparations at land and sea? Shall not this Money be admitted into the account of War?

Sir George Downing ] Any debt incurred, though in Peace, yet is for the use and service of this War. If you pass this, and doubt in the Exchequer to sign Warrants.

Warrants, it will stop all issuing of Money, &c. though in War.

Mr Garroway.] If this be simply for preparation for this War, the sum to be raised is too great; but I hope tis for a real carrying on the War, and then there can

be no difference in the thing.

Mr Sollicitor Winnington.] The design of the Money is for a War against the French King. If it be a War, there must be preparation. I hope it will be a War, and Money must be spent for preparation. If an Officer does not wilfully offend, he may be protected by Law. If that matter for a War against the French King, be expressed, the Officers of the Exchequer may safely pay the Money, and if they sign a Warrant according to the Act of Parliament, 'tis a good justification in Law. If Gentlemen are doubtful in penal Laws, 'tis good to be as plain as may be.

Mr Mailet.] There was War betwixt Rome and Carthage—Bellum ought to be according to your fum of Money. The King told you "That he could not speak noract, without 600,000 l." This now is Belli preparatio, and we give 400,000 l. more. So, I think, the words

may stand in the Clause without alteration.

## Wednesday, March 6.

Sir Edward Dering reports several Amendments, Clauses, &c. agreed by the Committee to be added to the Poll-Bill.

On the Clause for prohibiting of French Commodities.

Mr Sollicitor Winnington.] Calvin's Case of Naturalization, &c. It will require consideration, whether Ireland be bound by our Law, &c. My Lord of Ormond's Act was framed here, to settle Lands in Ireland, but the better to cram down the Act in Ireland, which had passage there as adventurers.

Sir Thomas Littleton.] I move that Printing-paper, by reason of the great works in printing, now in hand, (which cannot be carried on without paper of several sorts, and so will constrain men to print beyond sea, to the great detriment of trade) may have a year longer for

bringing

bringing it in. Some great works cannot be printed in

a year or two. milion

Sir Thomas Lee.] It was moved for time for persons, who, in a fair way of trade, had contracted for their Wines at Bourdeaux—But the Colliers, who support our Navigation, go for those Wines.

Sir Eliab Harvey.] It was a month ago that you ordered a Bill to be brought in for prohibiting this French

trade, and that was timely notice sufficient.

The Speaker.] This is modeftly asked, that the Merchants should bring in so many Commodities as will serve you for the three years, that you have forbidden them.

Sir Tho. Meres.] The first of April is the time to fend fools on errands, and I would have the time li-

mitted to that day.

Mr Papillon.] At Marseilles, there are many English ships, and because of the Algiers War they must have Convoys, and are now at Alicant, expecting Convoys, which cannot in that time arrive, to bring them home. I desire that a Proviso may be to exempt those six ships\*.

Mr Secretary Covenity.] If you take in the Proviso moved for, then sling out the Clause. Whether will you have a public, or particular advantage? I know that, above a month since, those ships were called home. They have had time, and how long has been the imagination of a War with France they cannot be ignorant. If this Clause of Prohibition, &c. be necessary, the Proviso is unnecessary.

Mr Papillon.] Six months fince there was a kind of intimation of War with Spain; but it was not intended there should be no trade at all with Spain, because of such an intimation. And this intention of War here makes those ships stay at Alicant, as well for fear of the French as

of Algiers.

Mr Sollicitor Winnington.] The person that complains of these ships, &c. has been zealous to show himself against France—There can be no War, but some Mer-

<sup>\*</sup> It appears by the Journal, that this Clause touching some ships in the Streights, as well as that touching Printing-paper (proposed above by Sir Thomas Littleton) was rejected without being read.

Chants

chants will receive some injury. These ships, moved for, &c. have all the world to land in but England. The Merchants have got great Estates by the French trade, and may very well bear this inconvenience. And pray let us be unanimous in this, and show ourselves brisk by keeping French goods out of England.

Refolved, That French Commodities, &c. be prohibited for three years, &c. from and after the second of March. [And the Bill, with the Amendments, &c. was ordered to be ingroffed.]

[March 7. omitted.]

# Friday, March 8.

The Poll-Bill passed, and was entitled, An Act for raising Money, by a Poll, and otherwise, to enable his Majesty to enter into an actual War against the French King, and for prohibiting several French Commodities.

[March 9 and 11. omitted.]

## Tuesday, March 12.

An ingroffed Bill for the better collecting the duty of Hearth-Money [was read the third time.]

Col. Birch. The mischief of this irregularity [in collecting the Hearth-Money] is from the farming it. When the Money was gathered by the Constables, I remember not in the Country that I have had knowledge of any complaint. I am none of those that would take from the King; but when the Constables collected this duty. the returns to the King were 170,000 l. per annum, and fince it was farmed, 'tis reduced to 150,000 l. per annum. We hear of War every day with France, but I cannot believe it, when that body of men that fave England, are thus discontented by the vexatious collection of this duty. I love not to have to do with fuch a body of people when discontented, and all is for nothing—And it may be in the power of the Officer to make a Justice of Peace go a journey to London, or be made a Sheriff, if he gives a judgment upon the Act that does not please. At such a time as this, when a good understanding betwixt the

King and his People must be our interest, I would not diffurb it. 'Tis now got out of Westminster-Hall, but . to keep it out from thence, put the Judgment final into the Justice of Peace's hands. But fays one, "Will you put the Juffices in balance with the Judges?"-But there is Money to be got by this; the Excise, &c. is finally in the Justice of the Peace. Can that be brought to Westminster Hall? That is kept out, and if ever it come to get thither, there will be more trouble in it. than with the man that got the Patent, for one, &c. to give him half a crown, or come up, &c. to show cause why he refuses. This Bill is to prevent such a kind of vexation, viz. You must pay the farmer two Thillings, as he charges you, or go up to the Exchequer to show cause why; which this Bill will prevent, and I would pass it.

The Bill paffed.

On the proceedings at a Conference with the Lords upon the Bill for preservation of the fishing in [the River] Severn \*.

Mr Powle. If the Lords had regularly given reasons for the Amendments they have made in the Bill, it had been parliamentary, but instead of that they have only spoken in general. Particular reasons ought to have been for every Amendment, and I defire the Lords may give particular reasons, and that the right order of intercourse between the two Houses may be restored.

A Conference was defired with the Lords, on the subjectmatter of the laft.7

[March 13. omitted.]

Thursday, March 14. [On the State of the Nation.]

Sir Gilbert Gerrard. The King has had unhappy Counfels. I will not exasperate matters, nor ravel into

the 9th, on a Bill fent down from mons had made, had, in effect, made the Lords for preservation of the it a new Bill, as they had struck out fishing in several Rivers in the of it all the Rivers, except only the Kingdom, in which their Lordships River Severn." averred, " That the Amendments

\* This Conference was had on and Alterations which the Com-

Counsels. I will only say, that if the advice of the Parliament had been taken, we had not been in this condition. The strength of the French King, both by Sea and Land, is far beyond his Neighbours. He has, at this time, no less than 100,000 fighting men under his banners. I am forry we have neglected the Militia of the Nation fo long as we have done. Now things are mainly at the stake, and they might preserve us. Our Out-works are already taken, the Spanish Netherlands, and, I fear, the French Army is fo great, that the Prince of Orange cannot make head against it, and the worst of all is, we have jealousies amongst ourselves. Unless there be balfam to heal us, we are in a fad condition. I hope the Wisdom of the House will resolve on such things as may give us cure; and I hope the Lords, who are part of the Government, will consider the State of the Nation as well as we. I will not fit down therefore without a Motion, viz. "That we may humbly move his Majesty to declare War against the French King." The confequence whereof will be the bringing in our Allies, and we will venture our hearts and lives, and our purses will be open like Englishmen; and I hope for good Success.

Lord Russel.] The Gentleman that spoke last, has made a good Motion. I hope in time we shall justify ourselves from the aspersion that we did not give Money sooner. I would set the saddle on the right horse, and I move that we may go into a Committee of the whole House, to consider of the sad and deplorable Condition we are in, and the Apprehensions we are under of Popery, and a standing Army; and that we may consider of some way to save ourselves from

ruin.

Mr Secretary Coventry.] I have been always as jealous of the greatness of France, as any man. There are already forty eight Companies of Foot, sent over into Flanders—But what Advantage shall we have more by a sudden declaring of War against the French King, be-

fore we are prepared? We have more Merchant-ships out, at this time, than any other Nation. And this sudden Declaration will but give occasion to the King of France to fall upon us, before we are provided. What is it you can do by it? You are in Treaties now, and will you over-run your Allies? I would do as the Romans, who made Declarations of War jointly with their Allies. That one thing I would know; what Advantage we can have immediately to Declare War, before we are in a posture for it? War will be declared, when we are ready for it; but if you advise the King as is moved,

consider well what you have to do.

Sir John Hotham. I will not talk now like a Sophister, but like an Englishman. If our Advice had been taken, which we gave honeftly and worthily, things had not been at this pass. But I am not of the Opinion with Coventry, "that this Prohibition is a fufficient Declaration of War." I am not worthy to fit here, if I do not fecond that noble Lord's very worthy Motion of going into a Grand Committee to confider the deplorable Condition we are in, We are told, "this will stop our proceedings in the money, &c." That is strange; for we are forty times more in danger and hazard, if we do not as has been moved, &c. than if we should not give one farthing of money. I would therefore go into a Committee of the whole House, to see the reason, and who has brought you into this Condition to lose all, and hazard our Goyernors.

Sir William Hickman.] All agree that 'tis a strange Condition we are brought into. We have done our parts in this House; we have given our advice several years against the growing greatness of the French King: Still we are in the same darkness as to the War with France; as when we first met. Therefore I move that we may go into a Grand Committee to consider the present Con-

dition we are in.

Sir Nicholas Carew.] Coventry would know, why we are so hasty to enter into War, &c. If we really declare War, we animate the Confederates. If we go into a Vol. V.

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Grand Committee, I hope we shall find out the instruments of our long Prorogations, and French Counsels, as if they had been pensioners to the French King. Then the Confederates will see that we are in good earnest. Let us enquire if we have not the same Counsels and Counfellors that we had before, and clear ourselves, and set the Saddle on the right Horse.

Sir Thomas Lee.] If the Question be for the House to go into a Grand Committee I will sit down, for all agree to it. But if you will proceed in the Debate now about advising the King to proclaim War, as has been

moved, I have then fomething to fay now.

Sir Thomas Higgins ] To put the King upon a Declaration of War, what can that hurt the French? 'Tis not the King's fault that Treaties were not sooner perfected. The King of France has a great Fleet in the West Indies, and our Plantations there lie open. If you desire a Declaration of War, judge the condition of those places. For your Declaration of War will not help the Confederates, and Spain will stand upon higher terms with you; and these are the reasons why we should not be so hasty to declare War against France.

Sir Philip Monckton.] I did not complain of my Imprisonment in the Tower: I desired no man to complain of it. Neither shall I complain of my Lord Chancellor's putting me upon a Recognizance. I will not complain of the King to his People: I would not be thought a man of petulancy, or a malecontent. 'Tis said "it is not now time to declare War." Just at the beginning of these times, the late King was persuaded by his Council that all was quiet in Scotland, and he never knew the Scotch Army was marching, till they were upon the Borders. I concur therefore with the Motion for the

House to go into a Grand Committee.

Sir Robert Carr.] I do not know, but that in this matter of Imprisonment complained of by Monckton, my name may be made use of. Till you have something of this matter—

Sir Gilbert Gerrard took Carr down to Order, and said.] He is falling into business quite contrary to the matter before us. I desire we may not be diverted from the Question by any thing.

Sir Robert Carr. I did never design to divert the

Question, nor to play any trick in it-

Mr Palmes took Carr to Order.] I think he is leading you off from the matter. 'Twas moved and seconded, to go into a Grand Committee, and now you are diverted about the Imprisonment of Monckton, which he may do at a Grand Committee, if he pleases.

The Speaker.] The subject-matter now before you is the House going into a Grand Committee. Carr at

another time is at liberty to speak.

Sir Philip Monckton.] I do aver that Carr was not in my thoughts, but he may proceed in what he has to

fay when he pleafes.

Sir Thomas Meres.] No fingle man's case can be big enough to divert you from this great point; though I would have them both heard at a proper time. Now the result of the Grand Committee is yet a Question, Whether you will address the King for Peace or War. The Question proposed is, That the Committee consider the State of the Nation. And if you consider not how we came into these missortunes, you will never see how to come out of them.

Sir Charles Wheeler.] 'Tis moved, "That you enquire into the King's Counsels." I am old enough to remember that the enquiry into evil Counsellors began the late War, took off Lord Strafford's head, and was followed by such an effusion of Blood that I hope the like will never be again. I fear the consequence of this enquiry. I will not trouble you with old Stories—If any person has any thing to say against Counsellors, he may now; but to go into a Grand Committee to set up a si quis, and make a noise abroad—If any Gentleman will name persons, he may do it here.

Col. Birch.] If that Gentleman knows that open War with the French is dangerous at this time, and he only

tells us fo, we are in the fame darkness we were six weeks ago. I must explain myself. The long Prorogation at this time—Plain things must be discoursed of. Sometime since I told you of "a Crab-tree Cudgel, &c." but better now than not at all. And I would have the

Speaker leave the Chair.

Mr Secretary Williamson. I am never against enquiry into Counfels. But the latter Question is fet aside, whilst you enquire into the first. I am not conscious to myself of giving ill Counsels; and if you will go upon any one person, you may. And if it be worth your pains and leifure, you may go upon Counfels too. But if in that danger you are in, you neglect that first Counfel of remedy, it cannot be thought your business. The State of the Nation is plain; an actual War is entered into. The Engagement is plain into an actual War; and 'tis impossible, till the King be in a good measure supplied by you to enable him, and has laid that money out-Without it the King could not go into an actual War. To go therefore into a Grand Committee, will be to come out again. When you have done what is neceffary on your parts, I shall be as forward as any man to enquire into ill Counfels, or Counfellors, because I have as little to fear as any man.

Mr Vaughan.] Converse with persons without doors and within, and you will find dangers proclaimed at home and abroad. So sad an effect cannot be without ill causes. According to Wheeler's argument, let the consequence be ever so ill, of evil Counsellors, you must not examine them, because it had once ill effect; and so the Nation will never have remedy. I think we must see how we came into these missfortunes, before we get out of them.

Sir John Ernly.] If I thought we were in jest, as some do, in this great affair of War, I would say nothing. The King is in actual War with the King of France, and will go as far in it as you will enable him. He has at present no money, nor credit. I will say nothing to excuse any man. Let every tub stand upon its own bottom. I have a clear heart; our House is on fire, and

will you not quench it, but enquire who set it on fire? This must make a great noise abroad, and I know not how far it may reach. I would therefore lay this matter aside. This will not strengthen the King's hands, but weaken them. Let us go on with the Bill, &c. to enable the King to prosecute the War. I see no fruit of this proceeding you are upon, but Consuson and Misery.

Lord Cavendish.] I am not of the opinion, "that we are in jest." I think some have been in good earnest. I would go into a Grand Committee, that we may enquire whether we shall go into a War, or no; for we are in the dark. 'Tis said, "'tis not now a time to enquire into Counsels." But surely the longer we delay it, 'tis the worse. I will say nothing to the thing now,

but it will be proper at the Grand Committee.

Sir John Talbot. I will not hinder the Question for going into a Grand Committee, and I am well contented that the Committee enquire into the present State of the Nation. But that which calls me up, is some expressions to be taken notice of, being one of those who have the honour to be trusted with a Commission for a Regiment in this Service. We are unhappy to be under the thought of being the occasion of bringing in Popery, and fetting up a flanding Army. I have a Family, and an Estate that my Ancestors have subsisted on: But this is a great discouragement, if whilst we are making levies of our men, we shall have such Aspersions, Fears, and Jealousies upon us. I am under some astonishment at it. Whilft I have been in military Command, I have acted according to Law. Instead of getting men raifed, under these apprehensions, at this rate, people will rather knock us on the head, when we shall beat up our drums, than we shall have any men. When the Motion was first made, I expected Gerrard would have proposed it of another kind, viz. to have addressed the King to iffue out Orders to the Lord-Lieutenants to put the Militia in Arms, to be drawn into the maritime Counties. There is great Security to the Monarchy in them, and they give the Nation great Security of our Laws, and King. I hope we shall not be so unhappy as to be thought Instruments, either of Popery or a standing Army.

Mr Leveson Gower.] I would never have given my Vote with that Gentleman (Talbot) so often, if I thought he intended Popery, or a standing Army. I had no

meaning nor reflection upon him in what I faid.

Sir Philip Warwick.] I would rather that you took this matter moved into confideration to-morrow, than press it to day. I have feared this greatness of the French King these forty years; and in my last Master's time, they had great Correspondence in Court, and found Casements to look in at. If we apprehend our Army's terrors to ourselves (and I have seen War to the ruin of the Nation, and destruction of the Prince) I have not a word distracted enough to express it. I am as willing (like Balaam's Ass) to crush my Master's foot, when an Angel stands in the way, as any body; but I am not for this Question now.

The Question proposed, "The House to go into a Grand Committee, to consider the State of the Nation, and to present you with remedies to prevent the dangers thereof."

Sir Thomas Lee. I am not for Jennings's Motion, to go into a Grand Committee to-morrow, for his reasons, "because he knew not of the Motion, and is unprepared." I hope to be informed at the Committee.

In a Grand Committee. Sir John Trevor in the Chair.

Mr Powle.] I beg leave to offer my thoughts, now you are to consider the present Condition of the Nation. We have given something, and have voted a great deal more, for Land Soldiers, and a Fleet, and as yet but little appearance of a War with France. And if it be War, whether it be to lessen the King of France, or to do for him what he cannot do for himself, that is, to make Peace, if raising these men insuses a jealousy into the people of a standing Army, I would know what a condition we are in, as to Alliances, and what towards a War. Since Alliances have been so concealed from

us, I have made it my business to inform myself from those that know better than myself, but I find very little of what was opened to us this Session. There are Copies and Prints abroad of the Treaties, and fo the thing is no fecret to us. If I am mistaken, I would be rectified by the honourable persons that can inform us better in them. First, I would know whether the Treaty is not on foot, on the project fo long talked of, of the French delivering up some towns in Flanders to the Spaniards, and so to leave the French in possession of Burgundy and Franche Compté, and the rest of their Conquests, which are very considerable? Secondly, whether if France accept this Treaty, and Spain deny, we are not to enter into War with Spain, to constrain him to the acceptation of it? And, thirdly, whether there is not a condition in that Treaty to restore the Brandenburgh Conquests to the Swedes in Pomerania, and the French to hold Sicily, till these Articles are agreed to? And whether this is not in effect for the French to retain Sicily and Borrain for ever? I leave you to consider if they must keep them as a caution, or pledge, for Brandenburgh to restore the Swedes the towns in Germany and Pomerania. Upon this general Agreement, next to Flanders, Sicily touches us most, and now I would know whether all this Army is raifed for this intent.

Mr Secretary Coventry.] The Gentleman seems to demand an account of the King's Treaties. If we that are sworn, &c. publish them, we publish his Counsels, contrary to our Oath. So that to that I can give no Account, unless the King give me leave. I can only say, that you are not rightly informed in the Treaty.

Mr Secretary Williamson.] Gentlemen need not doubt satisfaction, especially when we owe it to one another. We did, as far as we had liberty, tell you the Treaties and Alliances, &c. If Powle has had information, as he tells you, of these things, I assure you they are not in the Treaty. If you will apply it so as to rest satisfied, &c. you cannot take it ill, if we, under Oaths, cannot, without leave from the King, say anything sar-

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ther. And you know as much of the nature of it, as is fit for you to know.

Mr Powle. These Treaties are public to all the world,

and I know not why they should be a secret to us.

Mr Secretary Coventry. I aver that these Treaties were not published by Authority, though they are said

to be "known to all the World."

Sir Thomas Lee.] I think you are rightly informed by the honourable person, "that you know as much of the nature of the thing, as is fit for you to know."

If we are in a State of War, you are no longer in a State of Mediation. When War is fo much to the advantage of the Kingdom, Alliances will be known, and to fortify you, are now absolutely necessary-No danger by doing it. It is pretty strange, that against fo potent a Prince as the King of France, there is all the publishing of War, by Act of Parliament, that can be, and no Act of Hostility. I wonder at that courtefy amongst Princes. To come therefore to a clear understanding, that the Army may be employed, and this money may not be given to our destruction, if it be not employed in Flanders, it may be here-When they are out of the Kingdom of England, that vigour may be given the Prince of Orange to enable him to look the French in the face-That will be honour to us to declare War, and that will be encouragement to us to proceed in the War.

Mr Mallet.] It has troubled me, that, all along this Session, we have had an ambiguous Debate about this War. You have countenanced an Army within doors—(meaning Members Officers) Why do they not go to their Charges? I would have an Address made to the King, not only to enter into War with France, but to secure your Laws at home; and that the 30,000 men now to be raised may be for the French War only; and that we may have no other military force, but the standing Militia, and they to be exercised, with a good Fleet, and we need neither sear the French abroad, nor French

Counfellors at home.

Mr Vaughan.] If we have not a War with the French King, there is no man but will tell you what will come of this Army. I know no reason for this nicety, unless it be complimental to the French King, whether he or we declare War first. I move therefore, "that you will address the King, that War may be declared;" that all the world may know we are in earnest. Otherwise 'twill be very hard to give the King

more money.

Sir John Ernly.] If I was now to declare this matter, I would be well prepared. The first hour you do this, all the Merchants effects will be seized in France. To show you that my zeal is as great in this as any man's, I would enable the King to send these men into Flanders, and until you estimate the Poll-Bill, no man will lend any money upon it. The King is as impatient as any man here to go into the War: And there need be no distrust of the King. He can raise what men he pleases, and make Peace, or War, if he pleases. An Army, if raised and not paid, will pay itself. Enable the King therefore to send them away, with more money, or credit, and you may send these men away when you

please.

Sir Thomas Clarges.] As I apprehend from what I hear, the danger is greater from Scotland, than Flanders, by the Duke of Lauderdale's proceedings there, in quartering Soldiers upon fuch as will not give fecurity both for themselves, and their tenants, not to go to Conventicles. I would not needlefsly exasperate any men whatfoever. We are told, "that 'tis in the King's pleasure to show or not to show us the Treaty." And "that Privy Counfellors are upon their Oath not to reveal his Majesty's Counsels." I am fure 'tis also their Oath to give the King faithful Counsel. If there was not a blufter and a noise made with Prerogative, the King would eafily make us participate of his Counfels. Thefe times are like the melancholy ones, fome ages age, after the Duke of Burgundy's death. The French King had thoughts to make himself master of all; and his best way to keep off England, was to bribe the chief Counfellors, and they did receive Pensions, and gave acquittances for the money, which were registered in the Parliament of Paris. Then came a Parliament, and wondered whence came the Court to give fo different Counsels from them; whence, if any message was sent into France, Jewels were presented the messengers? Is it not so now? If but sent to see what o'clock it is, they are presented, and, I speak it in the presence of God, I believe we have some great Ministers, as much bribed now, as then. Since our Addresses made to lessen the power of France, all our motions have been to heighten France. In August last, when there was a battle, and the French in some danger, our great men did run into France to their affistance. These are sad thoughts-This Army looks like a standing Army-Therefore I would have no Officer, of what quality foever, be admitted into it, that takes not the Tests, &c. When I hear of the Queen's and the Duke's Regiments, &c. they will be hereafter arguments of respect-" Will you disband the Duke's, the Queen's, and the Dutchess's Regiments?" If Reports be true, what is all this War, but to drive the King of Spain yet farther into this unprofitable War? I have feen great effects of 6000 English abroad. They may turn the scale; and if we pour 6000 men into Flanders, we may make fuch amazements that the King of France may leave the towns he has conquered. I wonder any man should oppose this Address to the King to enter into a War with the French King. When we were told of War here first with France. no body believed it, when a trade for French goods is held at Whitehall, and the French Ambassador is seen in every room-We put them not in our bosoms that we are at War with. I move therefore, "That we address the King to declare War with France, and that he call back his Ambassador from France, and remand the French Ambassador."

Mr Secretary Williamson.] 'Tis moved, "That an Address be made to the King to enter into a War with

the French King." I will not deny, but that your Authority is equal to ours of the Privy Council, to advise the King; but Gentlemen must allow me to think that this must absolve you from doing your part. I wish the thing fo well, that [I would not have] you make a wry step in it. But what fruits are there of your advice, that must enable the King to do what you desire he should do? When you have done that, I know no reason at all but it may become you to advise the King to enter into a War; but you are in the imperfect steps; the quantum is not calculated, and no view how this will defray the charge the King is at, in your eye-6000 men more will speedily be sent into Flanders, if the winds hinder not. There are 5000 there already, 28 Companies, and 18 more are preparing for the purpose you intend. In the whole, there is more money laid out upon this, than is in the prospect of this money before you. You should think how to carry on the rest of the Supply, to enable the King to go through with the Provision every wife Prince should make. And whilft he does that, you may eafily foresee what kind of answer you will have from the King. I hope we shall get that advantage, that when we come to charge persons, Gentlemen will be tied to particular proofs, and not asperse the whole body of the Government. I am as much concerned, as any man in this House, at what is moved, and confider if what I have faid is not in some measure reasonable. I think the Question is not yet ripe—But I would not have the Question fall; take it up to-morrow morning, if you pleafe. remedy to obtain your defires is to confider of the next part of the Supply for the War before you, that when that is ready, you may be able to fay to the King with the Address, "That you are enabling him to enter into the War." I am of the same mind with any man in this House, of the absolute necessity for this Address, the King of France, as it were for his pleasure, walking from town to town, and taking them as if they had a correspondence with him. But if you fend over hundreds dreds of men, and talk of the Pyrenean Treaty, you will never effect any thing. The King of France will never begin War with you; his interest is not that, but to go on, and conquer. Therefore, as fast as possible, I move, "That you would enable the King to enter into the War:" And at the same time you present him with this Address, present him I kewise with the remaining part of the Supply.

Mr Vaughan.] Let that honourable person show a precedent whenever Money was given for a War before it was declared. If the King pleases to declare War against the French King, if the House will not give Money towards it, I believe the Kingdom will do it

itself.

Mr Secretary Coventry. You are not upon a right way of declaring the War; it will do the Confederates no good, but it will do the King or France good. These Clauses in the Bill do import War; you have the Appropriation of the Money to a War with France. This will make the King of France look about him; if War was declared by found of trumpet, with a Herald, this Act is as full. The point is, when you are ready for War, then you will declare War. I would willingly have Merchants speak it: For my own part, I had rather be a foolish Counsellor than knavish. If there are French Counfellors, I could wish I knew them, and that the Gentleman that suspects them, was near the King to give him better Counfel. Vast possessions were in the King, in former days, by tenures, &c. But our Master is not in that condition. 'Tis this House must enable him to make War. From my heart I believe it to be a War, and I wish it War. 48 Companies are in Flander's, besides what are sent to Tangier, and Jamaica. As for "the Duke's and Dutches's Regiments," objected against, I would have Gentlemen show me, if it be not so every where, in Germany, and France; and no man can be a Colonel here, but he must run through all the things your Law enjoins. Do not give that King abroad fuch advantages, as to give fuch discouragements

ments here to those employed in this War. You are told of "a Project, &c. and a Treaty about delivering up some towns, or Holland will not engage in it, for three or four towns." It is my opinion now, and was always, to suppress the growing greatness of France; but if you end barely thus in words, the missortune will be ours.

Sir Tho. Littleton | You are told, "That Levies go flowly on, by reason of your not dispatching the Money, &c." But there is fo universal a distrust in the War, that the common Soldiers come not in, As for the Treaties, we know not what they are, but what we can get without doors. We are told, "we are materially mistaken in what we hear of them, but when they are opened we shall find them otherwise." But I admire that we are not permitted to be told of one good Article in them; that all the good of them should be an absolute secret. If ever we enter into a War, it must be by other persons, and other Treaties, far different from these: For this Guaranty Spain will never endure. Though the King of France be beaten to Paris; yet if he keeps the rest of Flanders by resigning a few towns, the fame danger will ftill remain. I am of (opinion, and reputation is the last thing in the world,) that if the Confederates have no reputation abroad, and none at home, they are loft. We are told of "having realities in the Tax." The Poll-Bill is a reality: But if fuch doubts, as have been spoken of, are not removed, 'tis imposfible there should be reality in any thing, but still doubts.

Mr Secretary Coventry.] If the Articles in the Treaty be fuch as Holland will not come into, all the Alliances in the world will not fave us, and they will come into a Trade, and a War with us too. If we will enable the King, he will come into the Alliance. As reputation is a great thing, and declaring of War, if the French King seize your Merchant-ment, that will not be for your reputation.

The Chairman formed the Address, and read it.

Sir Thomas Meres.] I would have it, "That from time to time, we will supply the King for prosecuting

this War, according to our former Addresses."

Sir Thomas Lee.] I speak to the words "from time to time." I fear they will have no good consequence—These words had ill luck; for after, in May Address, we had put those words in, we had the same Counsels still.

Mr Powle.] Was there ever a precedent for the Parliament to affift a War, we know not where, or how? When the King asks Supplies for a War, he always tells the House how that War is directed. I move therefore, "That after quieting the minds of the Subjects, we may affift the Confederates."

Mr Secretary Coventry.] What Confederates does the Gentleman mean? Are not all the world Confederates? God knows where you are to state what are the convenient ones, before you push, or press the King into them. Will you declare the King to be confederate with these Princes, before having one Article with them?

Col. Birch. If there was not fomething to be faid on the other fide, we must be of his mind. Our case stands thus, to my understanding. We have a hard game to play; if none of these Confederates be ours, how shall we stand against the French alone? I have heard a flory of a man, that supposed his wife not to be very good, and his child told him, "If one body faid fo, it might be a lye; but if every body fays fo, then you are a cuckold, father." We hear from abroad, that the little Princes of Italy fend out Privateers. They would be nibbling, but they fay the King of England is not in earnest. 'Tis a wonderful thing that Spain will not let the Prince of Orange fave them with his help. I appeal to Gentlemen that have been raising forces in the Country, as they are coming up to town, if the people cried not, "God bless you, you are going to fight against the French!" And now we can get no men. What is the reason of this? They believe it not. After we had given Money in May last, we were sent away with a rod at our tail, into the Country, and I expect no better of this, if the same men still advise the King. The Merchants had rather believe Monsieur Colbert, that the English may come into Morlaix safe, than our Ministers. The Merchants believed Colbert, but not one word you faid, and they put Ships out to fea, notwithstanding your votes. The 20th day limited for no more importation of French goods, &c. draws on apace, and the Merchants fit quietly on that ground, and thinking people are employed about it in France. In short, I see no time when your Merchants have been less concerned than now. Is the Fleet ready?—If the Customs and other Money will not fet out the Fleet, I stand amazed. Trump, in our late times, when Holland was at War with those that governed, put a Beefom on his Top-mast, and said, " he would fweep the Channel." Immediately the people that then fat here, (the Rump) in a few days fet out a Fleet to fea, that met with the Beefom, and burnt it foundly. I hear nothing of our Fleet to-day, and therefore I believe 'tis ready. If I would advise for my life, if you ever do any thing on yonder fide, you must have a good fcouring body of men to join with the Lunenbourg forces, who are Protestants. They have had ill luck, and must have so still, else. But neither trained bands nor auxiliaries will do any good, unless they are affured whom they must fight against. A Vote of asfifting the King against the Dutch cost us 2,500,000 l. But in this we are all concerned, and why should we not tell the King fo? But if other words will do than are in already, pray put them down.

Sir Thomas Littleton.] I hope the Confederates are so, though we know it not. But "Princes and States confederated against the King of France" may be easily known by that name, and I would have that in the

Address.

Mr Pepys.] I will appeal to my memory, if Birch will appeal to his, and [let] both of us appeal to the books, if the Rump had not three times the time Birch speaks of, to set out the Navy; and then they were ful

of money too, and had what they would. In reference to my province (Secretary of the Admiralty) the King can show you in earnest, (because I hear the Customs for the Navy touched upon, as if the King had not furnished out any) more ships swimming on the sea, (not in port) than what you have given can defray. I am far from offering any matter of belief that 90 ships are ready; your Vote is towards it. All is done, and all the moral steps are made that can be; as many hammers and hands are at work, and all courses taken to invite men in-To the very use of Merchants Docks, the King has not one Dock empty; and I appeal to any man if ever they were fo bufy as now? What greater proof can the King give, than that he has already involved himself so far, as not to [be able to] go forward without your help? What greater proofs of indication of War can the King give? I doubt not, but your Million of Money will be raifed, but others doubt it. Says Birch, "We cannot trust, &c." Money comes not in; they must know you are in earnest, as well as the King, and when they fee you as forward to help the King, as you are to bind the King, War will be entered into with as much earnestness as you defire it.

Col. Birch.] When Pepys has made this declaration of Victuals, and Hammers, &c. perhaps there is but 200,000 l. laid out, when 400,000 l. ought to be. Upon the whole, you have an account from Pepys of all the Hammers at work, and I give vast credit to Pepys, as to all this. (Yet those ill men did what I say.) This confirms me that we are in a good condition to begin the War. I am now satisfied we are so at sea, and am so that we are at land. And therefore pray put the Question for the Address.

Mr Vaughan.] Some say the King is not in earnest for this War; others, that the House of Commons is not. I hope both are, and pray put the Question.

Lord Cavendish.] I would have it added, "to re-

call our Ambaffador from Nimeguen."

Sir John Holman.] And "to recall our Ambassador from France."

Mr Harbord.] I think this was well moved. I never hope we shall have a War, whilst we have a French Ambassador in England. There is a necessity to recall our Ambassador, and send the French Ambasfador home. In fuch a cafe as we are in, I value no man in competition with the fafety of my Prince, and Family. 'Tis the practice of the state of Venice not to fuffer a foreign Ambassador to converse with any of the Senate. Cornaro was hanged up for conversing with a foreign Minister. This man was executed for holding correspondence with foreign Ministers. I know not what crime it is here, but in all Noblemens Houses we hear the French Ambassador has been, and he has been admitted too into fecret places (of the Court.) What he does there, the Lord knows. Reason is not only now, but hereafter. I would not have men in place-aspersed, without special matter assigned. Papers come out that asperse; and I believe such swinging ones will come out, when we declare War, that we may know the whole bottom of all the mischief.

Sir Henry Capel. There was a thing let fall, at the beginning of the Debate, that I defire may be part of the Address. This is a great Army now raising, and to be employed against the French King. In the late War against Holland, there were Chaplains to say prayers in every Regiment, according to the [form of the] Church of England. I hear that one person, a great man, because he would not admit Common Prayer, was laid afide. I would have the fame care taken, that, according to Law, the Soldiers take the Oaths of Allegiance and Supremacy. We are under great jealousies, and have great reason for it. I would have them re-They cannot else look on the faces of any man that has fobriety about him. They apprehend me. I wish they will take care of us, and I could have wished they had done it fooner. The Muster-master is to obey the Law; and no man is to be lifted, without Vol. V. having having taken the Oaths of Allegiance and Supremacy,

and the Tests against Popery.

Sir Thomas Clarges.] I am much alarmed that those forces are gone into Flanders, and no Muster-master gone over with them. I know not to what end that is.

Mr Secretary Williamson.] These were sent over in haste, and are not a distinct body of men. There are Chaplains assigned for the rest, and 'tis in the care of the Bishop of London. As for the Test, Lord Douglas is recalled out of France, who has not taken it. There is but that single instance; all the rest have taken it.

Col. Birch.] If it be so that you intend the safety of the Nation, and fight for the Protestant Religion, every common soldier (as Lord Obrien has told you his has done) need not take the Test, but every Com-

mission-Officer ought, and a Serjeant is one.

Sir Thomas Lee.] If you make this a War of Religion, you will never have done. I would not fright any body from taking our parts, lest we be left as Sweden was, at last to side with France for her Protection.

Lord Ruffel.] I would have the King moved to discountenance such as gave him advice to tell us in his Speech of May last, "That we had invaded his Prerogative, and the like had not appeared in any age, &c. (where swords were not drawn) &c."

Sir John Coventry.] I defire fuch Counsellors may be removed, that perfuade the King to have an ill opi-

nion of his people.

Sir Thomas Clarges.] I speak it for the glory of the House, that, in our Address to the King, we have proceeded with all modesty. If the Answer to our May Address be true, we ought to be ashamed. I would have it part of the Address, that we may clear ourselves, that we did nothing undutifully. The little Parliament, before 1641, is said to be as loyal as any—But ill men made what they did matter of sedition, which

was loyal and obedient; and that ill men that came

here after them made use of in this place.

Mr Secretary Coventry.] 'Tis the undoubted Privilege of this House to make complaint of ill men to the King, and if a Member knows any man, he may complain. Bills of Parliament are brought in to the Council-table, and they are there read, and considered for the King's consent. Now you would know his Counsel, &c. and turn them away. If the King was displeased with your Address, and would know who were the promoters of it here, would you not say this was a violation of your Privileges? Will you put the King upon what you would not be put yourselves?

Lord Cavendiff.] Now we are advising the King to enter into a War, &c. I would not, for all the world, fay, there are French Pensioners in the King's Councils, knowing it not to betrue. Such Councils are usually in the dark, and not easily found out—But shall this War be managed by those that have put by all our Addresses, and our last of May, with such an Answer, and by a salse advice suggested to make difference betwixt the King and the Parliament? I look upon the King's Answer to our last Address as coming from the same hands. I would not enquire after the authors of the advice, but address the King to remove them, whoever they are.

Sir Edmund Jennings.] As long as we generally complain against ill Counsellors, and name them not, we asperse the Government. If we would go to the root, we must go so far back as the advisers of the Declaration, and the shutting up the Exchequer, but of late we have had no reason to complain, but of good management; now taken by some to be a crime. Let us restect on the late times, 1641; then there was a cry against evil Counsellors, and they would have the Militia in their hands—I would not be drawn on to follow their ill examples. If there be any persons who have given the King ill Counsel, name them.

Col. Birch.] If I am not mistaken, Jennings said, "fome here may think good management a crime."

Lord Gavendish.] I would know what "good management" there is. I know of none.

Sir Edmund Jennings. If any persons are guilty, &c.

I mean them.

Col. Birch, in answer to Secretary Coventry.] I wonder at what is said. I would ask any Gentleman. I was one that helped to draw that Address; and let the House judge whether it had not been better made sooner. I am not one of those who desire to know who advised the King's Answer to it. (Who does what is done here, all men know; 'tis the whole House.) But I would address, that the King would not take such advice for the suture. But there is a Wheel within a Wheel. This will be more than all we have done. These several years we have been about this, and I would have it part of the Address.

Mr Secretary Williamson.] If this be the way to have confidence in the King, I submit. This matter has not been debated—But that a Motion should be before any Debate of the thing, and at the end of an Address no way relating to it, is strange. 'Tis equally as natural to any Debate, as this—And nothing more contrary to the first part of your Address than this. To lay such a blemish upon the King's Counsellors—judge with what heart your Prince can enter into this business. I offer it to you, whether 'tis agreeable to the wisdom of this

House.

Sir Thomas Lee.] I take this to be the most seasonable time for what has been moved. Ever since the 28th of January we have voted Supply in so much haste, that we have broken all order. The first day, you were told by a Gentleman (Secretary Covenity) "He had rather commit forty murders, than retard the declaring the War by not giving the King supply." And yet the War is not yet declared. You are not ready now, because you had not time left you in May last—If ever there was cause to complain, 'tis against that Counsel that advised the King to send you away then. If you will be upon expostulation of the King's Answer, or the persons

persons that advised him to it, I am not against it, in the Address. But if you intend War, how great soever these persons are, that advised the King, &c. 'tis not safe for you to have them there. If this be the best way to prosecute the War, pray put the Question.

Sir Charles Wheeler.] "Lives and fortunes" in a Vote have had ill luck, and so has this Debate formerly,

and I would now lay it aside.

Sir Thomas Lee.] Propound words as gentle, and the foftest way that the thing will bear. There could be no greater service to the French King than sending you home in May last, and with the angry Speech. I would represent to the King the Adjournment in May, as the best service that could be done the French King; and I would do it, to avoid such Counsels for the suture.

Sir Tho. Littleton.] If any man exceeds his liberty of speech here, you will not suffer it. If any Counsellor goes beyond his bounds, the King may be advised to beware of him for the suture. I would have that moved, part of this Address, &c. to vindicate the House in that Address of May last—And not to hearken to

fuch Counsels for the future.

Sir Thomas Meres. This is the point. England is loft, upon this House's not having courage to come up to remove persons that have ill advised the King. This rock we split upon. Every man sees ill management. The Parliament is big enough to speak to the King, and they only can keep great men in awe. If we cannot come up to this now, I give England for ruined. No body dares trust himself, when all things go and come thus for France. I would go back to the Tripple League, and other things, and how you were fent away in May last, and not suffered to speak in the House, and put into the Gazettee with run-away fervants, and lost dogs \*, and there was the Parliament profcribed. There was never a more wife, nor feafonable Address than that of May, and I never expect better things, whilft those men that gave those affistances are to govern

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our Armies against the French. You have in the parts of your Address, "Arms and Money," and I will never give my confent that fuch men shall still manage that, and I would have it in the Address.

Mr Mallet.] I would have it part of the Address, That the King will be pleased to chuse us a new Speaker, and to remove fuch Counfellors as advised

the Answer to our Address in May last."

Col. Birch.] I have a farther reason why this moved should be added to the Address. When that Address of May last was made, with as much earnestness as could be. Gentlemen, forefeeing the miferies that might follow, made a kind of promife that if any had been instrumental in breaking the Triple League, if they return from those Counsels, and join with us in promoting our defires to the King in that Address, all the ill they had done should be forgotten for the future by their good deportment. It has been formerly faid, "That the displeasure of this House is an ill breath;" it so blasts that no leaf grows again; but now 'tis otherwife; those thrive and grow fat. If after this Question, Gentlemen come not up to this, I have done with any opposition to the French, and I will say no more.

Sir George Downing. In King James's time, there was a Comedy at Antwerp of the German Wars, and King James [was] represented, instead of sending an Army of Soldiers to the Affistance of the Palatinate, sending an Army of Ambassadors. The World will say, "we have made a mighty noise to suppress the French King, with a huge Army of many Addresses." This is a time of the year for force to be opposed with force, and not with words. I move that this of enquiry into the advisers of the Answer to the Address in May last, may not be part of this Address, but kept within itself, and by itself. Whether is it not better to look forward, I submit it? You move the King "to remove those who gave him that advice, &c." Does it appear that fuch advice was ever given the King? The King's own Answer was, " no man advised him to make it." (Which

(Which Words gave offence.) What I have faid was

with a good meaning.

Sir Henry Ford.] I think what Downing has faid, is ill and unadvised. Who knows that the King is Author of that Answer, without advice from others? I think it not fit to be said.

Sir George Downing.] I did bleed in my own foul, when the Act of Money was passed, and that done in May last. But he that is the accuser, must be the prover, that perfons gave the King that advice, and I would have that done.

The Question being put for making the removal of those who had advised his Majesty to the Answer of the Address in May last, from his Councils, part of the Address, it passed in the Negative, 135 to 130\*, and a Committee was ordered to draw up the Address.

## Friday, March 15,

The Address was reported, [and is as follows:

We your Majesty's most humble and loyal Subjects, the Commons, in this present Parliament assembled, do, in all duty and faithfulness to your Majesty's service, humbly present your Majesty with this our Advice: That for the satisfying the minds of your good Subjects, who are much disquieted with the apprehensions of the dangers arising to this Kingdom from the growth and power of the French King; and for the encouragement of the Princes and States confederated against him; your Majesty would graciously be pleased immediately to declare, proclaim, and enter into an actual War against the said French King: For the profecution whereof, as we have already passed a Bill of Supply, which only wants your royal Affent, fo we defire your Majesty to rest constantly affured that we will from time to time proceed to fland by, and aid your Majesty with fuch plentiful Supplies and Affiftances, as your Majesty's occasions for so royal an undertaking shall require. And because your Majesty's endeavours, by way of mediation, have not produced those good effects your Majesty intended, we do most humbly befeech your Majesty, that you would graciously be pleased to recall your Ambassadors from Nimeguen and France. and to cause the French Ambassador to depart from hence; that your Majesty being publickly disengaged from acting as a Me-

<sup>\*</sup> This is not mentioned in the Journal.

diator, or upon such terms and conditions as were then proposed, your Majesty may enter into the War to no other end than that the said *French* King may be reduced into such a Condition, as he may be no longer terrible to your Majesty's Subjects; and that Christendem may be restored to such a Peace, as may not be in the power of the said King to disturb."]

#### Debate.

Mr Pepys.] I stand up not to oppose the Address. I only offer at one word misplaced. Your Vote was "constantly to stand by the King, &c." and the Address reported is "constantly assured that we will stand by him."

Mr Powle.] The words stand so transposed, as Pepys says, but I believe no body will be against placing the

words as Pepys has moved.

Sir George Reeves.] That which calls me up is, that I know not what steps, or progress, is made in the Peace at Nimeguen. It has cost the King 50, or 60,000 l. to maintain his Ambassador there; and the King has been in a most honourable Station of mediation there; and as for proclaiming the War, 'tis in effect done already by our sending men into Flanders, to assist the Spaniards.

Col. Sandys.] I would have it mentioned in the Address, "The King of France terrible to Christendom," instead of "the King's Subjects." For he is not so to

his Majesty's Subjects.

Col. Titus.] His Majesty's Subjects are part of Christendom, and so the King of France is terrible to us.

The Address was, upon the Question, agreed to by the House.

Mr Cheney.] Moves for the Lords Concurrence to the Address.

Sir Thomas Lee.] I am a friend to this Address, and am fond of it, but I know no reason to ask the Lords Concurrence. I know not what the consequence may be, of letting the Lords into assistance with us in the Money-matter. I would have care taken—I know not the use of that.

Mr Secretary Coventry.] If we presented the King with so much Money, so much tax, it would be something, but "to supply the King" in general words, can do no hurt. The Lords consented to the Money-Bill, and there was no hurt in that.

Sir Nicholas Carew.] Leave out the word "Aid,"

and then go to the Lords, if you pleafe.

Sir Thomas Clarges.] I move for an addition. I think we shall have no fruit of looking forwards, unless we look backwards. If those who divide the King and us still prevail, I expect no fruit of this Address, either with, or without the Lords Concurrence. I hope Gentlemen have farther considered it; and I would take all ways we can to be in his Majesty's good graces. What I desire is for a right understanding betwixt the King and us, and I move to have the addition read.

Col. Birch.] When this was moved yesterday, and some would have put in "lives and fortunes," I would have had the Lords Concurrence. Read the Clause offered, and if the thing will bear it, I am not against it.

Sir George Downing.] Without doubt, "Aid" implies the Lords, as well as the Commons, and can do no hurt in this Address. The King made a reflection upon our last Address, "that 'twas without the Lords concurrence." For that reason I would go to the Lords.

Sir Thomas Clarges.] I think "our fortunes" are our estates as well as "our lives" our persons. I feared this Address might be lost with the Lords, but I think now there is no hurt in going by the Lords.

Sir Henry Ford.] For the Lords Concurrence there is but one word scrupled at, and that is "Aid." Leave out that word, and there can be no prejudice in it.

Sir Thomas Littleton.] If any injury be to the Commons, 'tis in making the Lords joint givers with us of Money, till it be penned and phrased for the Commons, and the King thanks the Commons. Should you say, "the Commons" in the Address, &c. Though in a road-way, for Bills, yet 'tis no method, for an Address.

I would

I would not have it go to the Lords, for fear it should

not come to the King at all.

Mr Vaughan.] I would not have the Address go to the Lords, though you were sure of their Concurrence. You will much entangle the thing by it. For when the Lords are joined with you, you put them in mind implicitly of giving more aids than we shall think fit.

Mr Powle.] The only reason of going with this Address to the Lords is, to know what Lords are forward in his business, and what Lords oppose it, and I move

that it may be declared at a Conference.

[Resolved, That the Concurrence of the Lords be defired.]

A Bill for laying a charge upon New Buildings [was read

the first time. ]

Sir Thomas Littleton.] I think this the unjustest Bill that ever passed in a legal Parliament. The more pains you take in it, the worse you will like it. 'Tis better to put an end to it at first, than at last.' I would throw it out.

[It was ordered to be read a second time.]

## Saturday, March 16.

On Quakers convicted as Popish Recusants.

Sir Thomas Lee.] I met with some people in the Hall, who put this List into my hands. It seems, it is a List of those sort of people convicted as Romish Recufants.

Mr Sollicitor Winnington.] The severities of that Law, against the Papists, were never intended to mean the Quakers, that they should be under the penalties of the Statute of Recusancy, of Q. Eliz. The Judges in their Circuits were directed by my Lord Chancellor to put the Laws in execution against Recusants; on consideration whereof the Judges consulted, whether the Quakers came within that Law. In the Circuits the Quakers were severely prosecuted, and their estates were seized accordingly. They have made application about it, and 'tis thought severe upon them. If these Laws against Recusants, [made] when

no fuch persons were known in the world, be applied to them, and the severity of the Laws now in being against them likewise, 'tis a great severity, and worthy

your counsel.

Sir Edward Dering.] This matter seems to be of great consequence, and not fit for sudden thoughts. I have had it in my thoughts to do something in it. But I hope, by this means, care will be taken that the Papists slip not out of those Laws. I had rather that the Quakers suffer them. The Quaker's conscience is not to pay the dues of the Church, and to keep men out of their own. I think the thing is worthy of your serious consideration.

Sir Philip Warwick.] Our eyes are upon Popish Recusants, and 'tis reasonable they should be on the Quakers also. The Quakers say "they must go when God calls them;" and no man knows the end of that. Our Acts, as to these punishments, have had, as a religious prospect, so a politic; and to show that we have not had good success in them, I am as willing to go to a

Committee to consider them as any body.

Mr Secretary Coventry.] To make a distinction between Quakers and Papists, is the way to make Papists turn seemingly Quakers. But notwithstanding these rigours they complain of, Conventicles are as frequent as ever, and if they have indulgence given to them, who acknowledge no Sacraments, you will punish them that do—The Quakers hold themselves absolved from all ties of Government. It looks to that effect every day. I would have a Committee take these things into consideration.

Sir Humphry Winch.] The Motion from Lee is not for an indulgence towards the Quakers; 'tis only to diftinguish Laws against Quakers and Papists. It seems that the same fort of persons are subject to the Popish Laws, and the least penalty they undergo, under the notion of levying the two thirds of their estates by the Statute, is, in some, more than their whole Revenue. It seems to me very untoward. I look upon it, that

your

your intention, in the main, is that a Committee shall examine matter of fact, of the seizure of the two thirds by virtue of that Statute of Recusancy, when

ther it be true, or not.

Sir John Birkenbead. ] Make what Laws you will, and the former Laws too, the Quakers will come under them. They acknowlege not the Government; they will not fwear at all; and there can be no Government without Oaths, no Court, no Jury. The fifth Monarchy-men are under the notion of Quakers; they are for King Jesus, and not King Charles. The Quaker fays, "He is not for Arms." But one I faw preaching by Aldersgate lately, upon St John's making plain the paths, &c. was beaten by the people. But he watching his opportunity, beat four of the people foundly. with a Crab-tree Cudgel. What need you be doubtful in distinguishing them, for the Jesuits do lead them? A Captain in Lord Fairfax's Army thought a godly man was a Feluit. The Quaker will not protest against the Pope, though he fays he is a Protestant. But yet I move that the Committee may fee what may be done to diffinguish them.

Col. Titus. I wonder that Birkenhead, who has always expressed so great a zeal against Conventicles. should be present at them, but I believe it, because he fays it. I hate them as much as he, but the Queftion is, whether they are justly, or unjustly, used in their punishment. That those that do not acknowlege the Pope should be punished, and Papists that do acknowlege him should not be punished, is strange to me. I do not know any instance of that, and hardly of any punishment given to a Papist. King James's Laws did punish Papists Recusants, and your Laws Protestant Recusants, and Presbyterians, (though they think the Pope Antichrift,) and the Anabaptists and Independents. Where is the prudence of it to make all these people as one, and [where is] the Justice in this manner of profecution? And when there is neither, I hope

you will remedy it.

Sir Thomas Meres.] You are upon a tender and curious point. In Lincolnshire none have been convicted but Popish Recusants. I would refer it to a Committee, to know where, and who they are, that have convicted them. I believe they that would confound those Laws, favour Popery. If these people that have petitioned, tell you a lye, they deserve to be punished. It is impossible to pen a Law of this nature, but it may reach Quaker and Papist. But if you invalidate and take away all the energy of these Popish Laws, which may reach Quakers, you spoil all. But before I say any thing farther, I would examine the truth of matter of fact. The Papist and Dissenter may easily be distinguished in the prosecution; and let every tub stand upon its own bottom.

Col. Birch.] I would refer their paper to a Committee, to enquire whether any but Papists have had two thirds of their estate seized.

Mr Swynfin.] I would have a Committee impowered to enquire whether those Laws have been executed up-

on any, but Popish Recusants.

Mr Waller.] I know not what well to fay to this, of convicting the Quakers, as Papists. But I will speak, before you put the Question. It was never the meaning of the House that it should be so. If they meant it, they would never have made a more fevere tryal and penalty upon these men than the Papists. For the Papists are not punished without conviction. They may traverse the Indictment. But these have no tryal per pares, only a fingle Justice of the Peace, &c. and Magna Charta fays, " no man shall be tried but per pares." The Papist convict forfeits two thirds of his estate, and those more than they are worth, and the Laws extend to even death itself. No man is more against these men, than I am. No reason will satisfy them; they are not good at that, but they are best at suffering that ever people were. In the times of Usurpation, the Quakers were kindly used. They were so little supported by reason, that the apprentices knocked them [down,] and abused them. them. But as foon as we made these Laws against them, and put them severely in execution, the people took their part so much, that they have increased. By this increase of sufferings, they have increased their opinions, "that our religion came in by suffering, Sanguis Martyrum, &c." is not only a divine saying, but a moral. I would have a Committee to inspect these things, and remedy them, that the Laws against Papists may not be inslicted upon those that are not.

Sir John Bramstone.] As the Law stands, they must plead their conformity. If you take that away, you de-

ftroy all your Laws.

Sir Nicholas Carew ] When these Quakers were returned into the Exchequer, they were looked upon as Papists, and the World did think them so. I move, "that there may be a distinction made between Protestant Dissenters and Papists."

Col. Birch.] I would have the Committee instructed, "That they make a difference between Papists and

other Protestant Dissenters."

Sir Charles Wheeler.] I would not have the word "other," because it will imply the Quakers to be Protestants.

Sir Gilbert Gerrard.] Never was a more needful time than now to unite them, and I would have the word "other."

Mr Love.] To have them all in the same Clause—I am against it. They may come under the notion of Papists, to have the better quarter. I have had some Quakers that would renounce according to the Test, &c. and there are thousands that will. I would not have them be encouraged to seek better quarters, by being under the notion of Romanists.

Col. Titus.] If they are not Popish Dissenters, they are Protestant or Mahometan Dissenters. If the Committee have power to repeal a Law, then there was some danger in it. But that your door may not be too wide, commit the thing upon the whole matter of the Debate.

Mr Secretary Williamson.] This seems to imply that the Quakers will pass as Romish Dissenters; but they are so different, so abominable, that they are not Christians—Inconsistent with the fundamentals of Christianity. The Committee is to enquire into a thing not doubted. Diametrically opposite to Religion—So notorious, 'tis not worth your trouble—If the Law be this, you cannot warrant the execution of it upon the Quakers, in the Magistrates. I would enquire if the Law against Recusants was designedly executed against these people, and not let the door be opened to those [for whom] you never intended it.

Lord Obrien.] That the Papists may not run away

without discrimination is your defign.

Mr Secretary Coventry.] This is the building or falling of your Church, and of the State. I would fee only whether this is faulty in the Magistrate, or faulty

in the Law, and mend that.

Mr Boscawen.] All that is proposed is to know a Protestant from a Papist; and if Gentlemen would not have that, I would know what they would have. I would have the Committee "to consider to make a difference betwixt Popish Recusants, and other Diffenters from the Church of England;" and consider some way of distinguishing the one from the other.

Refolved, That it be referred to a Committee to enquire, Whether the persons called Quakers, or any dissenting Protestants, have been convicted as Popish Recusants, and two thirds of their estates levied; and whether that, on the persons that are Popish Recusants, and have been convicted, the penalties have not been levied; and that the Committee do consider to make a distinction of Popish Recusants from other Dissenters from the Church

of England.

Lord Ruffel.] 'Tis plain that as to Popish Recusants, favour has been shown to them. We see how active they are, both in town and country, and the Lords have made little progress in our Bill. I move therefore, "That we may have a day to consider the danger of our Religion, and of the growth and progress of Popery."

Tuefday next was ordered for it.

# Monday, March 18.

On the Poll-Bill, &c. \*.

Mr Secretary Coventry.] This is a Bill the King knows not what to make of; to last for three years, and no estimate made of it. This will leave the King in all the distaits faction in the world. When you have made an estimate of this, and the Poll-Bill, you may go on to the rest, and then 'tis time to remind the King of passing the Poll-Bill, which is a declaring War against the French King.

Mr Vaughan.] This looks like a contrivance to delay that Bill, that the King may have the Money; and then in plain English we shall have no War with the French King.

Mr Secretary Williamson.] This Bill is for a War, &c. and not a farthing of it can be employed but in a War, or to a War. This engages the King to a War, and you know this Bill will not go through with it, and we put the King in mind that the Bill is ready; and, at the same time, put ourselves in mind that the Money the Bill raises is for a War, and engage the King in it, and you cannot expect but that old particulars of the Poll will be now, and they came short then. In this, you will put the King upon a great difficulty. I move you therefore, that other things may go on so now that the King may see the rest of the Money. Bills are coming on as fast as methods of Parliament will permit. 'Tis but sit this should be thought of.

Sir John Hotham.] If you intend to go this way, I move, by way of Order (the thing being novel and unufual to fee Money refused from that Corner +, and that I should move for Money,) that the King may be acquainted that we fear, if this Bill be not passed speedily, the other Money Bills will be taken, and this left, and so we shall have no prohibition of French Commodities, and may be invaded by the French.

This Bill had been returned Commons) on the Thursday before. from the Lords, with some Amendments (which were agred to by the 

Where the Secretaries sat.

Sir John Ernly.] I doubt not of the going on of the other Bills. But Williamson meant, that such a Progress might be made, that the King may see you in-

tend other Money-Bills as well as this.

Mr Powle.] If it should happen that the Bill should not be passed in time, to the dates of the prohibiting Clause, the Bill will not fall to the ground, for both Houses, upon Conference, may mend the time. There are several instances of it.

The Speaker.] It will be hard for men to be punish-

ed, before they have committed the fact.

[Refolved, That such Members as are of his Majesty's Privy Council, do acquaint his Majesty, that there is a Bill of Aid passed both Houses, and ready for his Royal Assent.]

# Tuesday, March 19.

Mr Secretary Coventry delivered to the House the following Answer from his Majesty:

" CHARLES R.

"His Majesty hath received the notice sent him by this House, that the Poll Bill was now ready for the Royal Assent; which his Majesty was well pleased to hear, and resolves to pass it to-morrow. His Majesty desires this House to dispatch the rest of the Supply promised him, with all expedition. The Sea and Land preparations run great danger of being disappointed, if these Supplies be retarded: And it would be a satisfaction to his Majesty to hear from this House, that no more time should be lost in a work so necessary for the safety and reputation of the Nation, as the finishing those Supplies."

The Lords made these following Amendments in the last Address, which they sent down by the two Chief Justices \*:

That the paragraph beginning, "And because your Majesty's endeavours, &c." and ending with these words, "Your Majesty may enter into the War," be lest out: And instead of the word immediately," be put in these words, "with all expedition that can possibly consist with the safety of your Majesty's affairs." And instead of these words, "to no other end," towards the end, they say, "to the end."

Sir Tho. Clarges.] The Lords have taken a long time to confider of our Address, and have made great altera\* Rainford and North.

tions in it. They have put out the word "immediately," which makes the Declaration of the War uncertain. We have been told, "that we are in a War already with France, and that forces are fent to Ostend." The Lords have taken time to inform themselves of the state of assairs, and we are in the dark. I therefore move that we may consider of their amendments to-morrow.

Sir Thomas Littleton.] I expected that the Lords would have delivered these Amendments to us at a Conference: I thought that would have been so. The Lords have given us no reason why they leave out this word "immediately," in the Address; and because the Lords have given us no reasons, and I hear no body else gives any neither, I would not agree to their Amendments.

Mr Mallet.] I think it a blemish to our actions, to catch at any little phrase that may give a remora to the thing you desire. I would give my consent to

agree, &c.

Mr Powle ] For satisfaction of the Consederates, this is done, &c. and as the Lords have amended it, 'tis to declare War, God knows when. We have been told, "we are in War;" and there is no way but to go into War as soon as we can; and I would adhere to our Address.

Lord Cavendish.] I would know, who are to be judges of the expedition of declaring this War? Those who have suffered the French King to come up to the great-

ness he is in at present? I would adhere.

Mr Secretary Coventry.] If the King declares War before the fleet be out, we have no reason but to expect that the King of France will be master of two or four millions of our ships and loading, and Merchants effects in France; and that will be more discouragement to the Confederates, than we can keep them up by our declaring War. I think it, from the bottom of my Heart, that 'tis the first time War was ever declared before you were ready for it, and provided.

Sir Nicholas Carew.] I am forry we are fo unprovided, when we have had fo long a time to think of it. We are fatisfied in the Country that we shall declare War, God knows when—When the French Ambassador is gone, we give so much Money for an actual War, and now we are afraid to declare it. I would adhere.

Mr Hampden.] It looks like suspicion of your advice to enter into a War, if you are afraid to declare it. If the King of France thought you in earnest, he would seize two or four Millions. This makes me believe that he thinks you not so. We were told "that we invaded Prerogative, in the Address;" and the Chancellor at the opening the Session, said, "That Alliances were made necessary to put you into a War." We were told here, "that we were in an actual War, and had raised an Army;" and you will not quiet the King's Subjects till these men are employed in the War; and for these reasons, I cannot agree with the Lords.

Mr Secretary Coventry.] The reasons that the King does not declare War, are, that Declaration of War makes all your Merchants lie open to be seized, which the King of France will not do till you declare it.

Sir William Hickman.] I wish I had memory to repeat the reasons those honourable Gentlemen have given you for this War. I would adhere.

Mr Secretary Coventry.] I never faid "there was a War," but that "there might be a War."

Sir Tho. Lee.] You are fent to by the Lords to come to a Conference, immediately. I shall say nothing now to the matter, but would go to the Conference, and then Gentlemen may go on where they left off.

Sir Tho. Meres.] In the Paper, the Lords do not agree immediately: In the Message, they do agree immediately; and therefore I would go to the Conference.

They went, &c.

Sir Robert Sawyer.] All "immediatelies" are, "as foon as possibly may consist with the safety of the Kingdom." If we have a War declared, our forces in France

are to have forty days to return home, by Articles; and

for that great reason I would disagree.

Mr Secretary Williamson. If I were affured that the word "immediately" would not be understood otherwise than "the State of the affairs of the King may fuffer it," if that be the fense of the word, I would agree with that fense, but not with a word of a double fense. I agree with Sawyer in his fense of the word "immediately" - Not till we are able by supplying the King, and plainly till the King has that, 'tis impossible he should do it. And you appropriate all the Money, and 'tis impossible for the King's Ministers to touch a farthing of that Money, for any other use. If there was no other objection, but that of the Merchants, 'tis but a mean confideration. The Merchants have attended your advice to the King fo long, that I think the proclaiming War will fall as eafily upon them, as any thing ever did. The Dutch War broke out in fact first, before any Proclamation, and the King laid an embargo upon their Ships, and fo they did upon us. But all those Ships, and all those goods, went away, and no accident upon them; but this flicks with me. There must be preparations. Of your 600,000 l. there is laid out 500,000 l. already, and yet the King is in no condition to declare War, and by fuch a War the French King may break in upon us justly. When the King shall declare War, how do you know but that the French King's Admiral, in the Indies, has a Commission in his pocket to fall upon you there? And, notwithstanding all the zeal you have here for this War, the first successes do great things. Our Ships, out at Sea, are not enough, nor men on the other fide of the water. For these, and a hundred such considerations as thefe, 'tis impossible for you to go into the War with fafety, and with prudence, unless you know all other circumstances; which as it is not your duty to know, fo 'tis very inconvenient you should, and 'tis imposfible to declare War without knowing all. That 'tis

Itis morally impossible the King should do it—This Amendment of the Lords puts the thing as far as possibly you can put it to—The King will go on to suit his affairs, that "immediately" as soon as you enable

him, he may go on to declare War.

Mr Vaughan.] I was one of those against this word, because I saw the sate of it. It is said here, "that our Merchants will be in danger, &c. but from what, from whom is it? From the French? They tell us, "the War is actually made;" if so, 'tis then in effect declared. I looked upon it as such, if I gave credit to Williamson. He has said, "you should never put the King upon a War, without preparation." I never heard that we had let the King of France grow so great without preparation, and all these things foreseen. If the Proclamation be to-morrow, 'twill be too late; and I would adhere.

Mr Pepys.] This Debate concludes in the word "immediately." I speak but to have by paraphrases what you would have in one word. From this time twelve-month, I provoke any man to show me the like done in any History of the Navy. Things have been carried on as far as the King has had Money to carry them on. The King has strained his credit as far as he can. If you call me to it, I can tell you Ship by Ship; and when all is done, this is not the Fleet you have declared necessary for this War. What less can you be in to-morrow than an actual War? And you have declared for a Million of Money, but for entering into it. I move therefore you would agree.

Sir Thomas Lee.] Pepys has told you his knowledge of the perfection of the Fleet. If it be not so, when he sees you next, I will tell you that I wish some body else had as much knowledge in the Fleet as he. This tenderness of an "immediate" Declaration of War, &c. looks as if we were afraid, and did it unwillingly, that we are so long about it. We were running into a War with Holland, without any preparation. And for this Poll-Bill, be it but 300,000 l. 'tis more than Pepys

asked for the present occasion of the Fleet, in his paper that he gave in of particulars; and no Parliament was called, because there was no need of Money for the Dutch War; and this fum is not sufficient for you to enter into a War. You are told now, "that you are in a War, and this Money is for nothing elfe," and yet you must not declare it. The strongest reason I can give myself for it is, that we do not recall these forces from France. If there be a reason for this jealousy, 'tis because we are still hurried on to Money. We shall have your Money, and an Army, but there is great fear of this Army. I am loth to tell you what fears the people have of an Army, and what reason the people have for it. 'Tis necessary for the Peace of the Kingdom that you raise this Money for their safety, to protect them, and not to hurt them. There is no doubt but the King will follow your advice, or give you some satisfactory answer and reason for it.

Mr Pepys.] I remember my promise, and I may and would part with my head, if what I have told you of the Fleet be not true; if Lee will part with his head, if it be true. But Lee loves his head so well, that I be-

lieve he would not bargain with me.

Sir John Ernly.] I have spoken with several Merchants, that say, whether there be Peace, or War, with France, they shall gain by it. I find that we shall go prepared to the War, but I do not think that expedition, as the affair will bear it, will be consistent with the word immediately." I would be in the War as soon as any man. I would therefore agree with the Lords, and leave the King to be judge as far as his affairs will bear the Declaration of War.

Col. Birch.] You are told how little difference there is between the Lords Amendment, and your word "immediately." I will speak to the danger, to a present or immediate Declaration of War. To the Merchants, there was none in that Treaty, Williamson was at, in six months time. The King of France may, it seems, seize upon our Ships, and Merchants, if he will, and

War.

we fland only upon his good nature; and he is a goodnatured man. As for the Plantations, he might have had them before now, if he would too. For the Money intended for the fleet, one fourth will be enough for it, and you may fet out 100,000 l. If upon landing, &c. you may in a few days draw 20 or 30,000 men of the Militia, better men than you have of your new raifed men-With all expedition, I would "immediately" declare War, &c. if not to-day, to-morrow. Pray fee how one part of this Address agrees with the other. Your Address had but three things in it; "recalling Ambassadors," "coming out of the state of Mediation," and "immediately declaring War." That of " Mediation" is totally left out by the Lords, and think you the Confederates will do any thing while we pursue the Mediation? I would withdraw the French Ambassador, if it were possible. Is the reason of this House any more than it was the other day, when we did the same thing?-Break the Confederates once, and you will never unite They will be disanimated for ever. But I understand not that sending men into Flanders is entering into War with the French. This may be done, and yet no War. They do but breathe yonder in Flanders, to fee what we shall do—We that were beginning to awake, and fee our interest-Can you imagine that the very thing fent to agree should meet with as full a remora. and stop to what you intend, as can be? This looks like a disanimation—Your forces are not yet come home out of France, and you enervate the Confederacy. I would therefore not agree.

Sir Gilbert Gerrard.] I believe that Holland, and the Confederates, are not able to support themselves, without you. The French are a warlike Nation, and if Spain cannot defend Flanders, he cannot defend himself, and then all is gone. I believe the Confederates have all their encouragement from you, and I hope the forces you have, you will quickly dispatch over; and that you will open your purses. This House will never forsake the King, if he will "immediately" declare

War. A Gentleman spoke of "false constructions, and misrepresentations, &..." I speak from my heart and conscience, I believe we are in great danger else, and

therefore I would not agree with the Lords.

Mr Waller.] I have not yet heard a true reason why we should agree with the Lords. One was that "concerning the Merchants" That we have not done our parts last year, as to the growing greatness of the French, I will not believe; and now we give a Million towards this War—Unless we imagine Alliances, I dare not give

my confent to agree.

Sir Thomas Meres.] The word we would have in the Address is "immediately." The sense we have of it is " without any interpoling:" I believe the Lords underflood the word as some Gentlemen have said. I think it was their fense three or four weeks since, but certainly their fense is not ours, else they would not have explained our words fo. Keeping back the Money-Bill loft us four, five, or fix days. I think this Address pushes on Money in that word "immediately." The Kingdom is at a lofs what is aimed at. About four months ago, many men doubted and reasoned, and did think themselves in great danger, what would become of us. Thinking men thought we should not meet, and we should have no Alliances; but I faid, " we should have Alliance, or something like it, because we had some obligation of Money upon us." I am still of the same opinion, that we shall have a War; but I think it will be just such a War, as there is an Alliance, a feeming Alliance, and a feeming War; not much to hurt folidly. But our case is this; we would either not part with our Money, or have a War. I ever was for the word "immediately," not to be in the dark; and if you like not the word, "immediately," I am confident it will be but a feeming War. I am fure 400,000 l. will fet out an imaginary War. We fee hats, and feathers, and scarves, about the streets, but I' would have a War really to mischief France, and to make good our prohibition of their commodities, and effectually to go on with it; then all as one man we shall do it: Else but half will go against France. This word word may draw on a Peace; I am for it, for that reason also. If we must have this Peace, I would have it known by August. I would not stay till October, not so long, for then we shall give Money for it. Be it War, or Peace, I am for this word "immediately;" and I would not agree with the Lords.

The Question being put to agree with this Amendment, it passed in the Negative, 155 to 112. And the rest of the Amendments were also rejected.

Sir Thomas Lee.] I suppose we intend to effect this, but I hope for none, unless we have a Conference with the Lords, and prepare our Reasons for not agreeing.

Ordered, That the same Persons who drew the Address, do draw the Reasons for not agreeing [to the said Amendments.]

# Wednesday, March 20.

[In a Grand Committee on the Bill for the] late King's Interment.

Mr Waller. ] 'Tis faid that the late King chose the place of his Interment to be where his Ancestors were interred. The other day I was at Windfor, and an old Sexton showed me the place where the late King was buried, in St George's Chapel. A King's Will is a facred thing, and 'tis a bleffing, in the Bible, " to be buried with his fathers." Does any body know it was the King's Will to be buried at Westminster? King James his father, was buried there. Henry VII. built the Chappel, and his Monument is there; and, the late King deferves a better Monument. Henry VII. was a great Prince, who united the two Roses, this King was a great Martyr for the Church and Laws. If there be any thing of his Will in it, 'tis the facredest thing in the World, and I would have it left to the King.

[The Speaker refumed the Chair, and Sir Thomas Meres reports, That the Committee had fat, and being informed, that the Black Rod was at the door, the Committee had ordered him to leave the Chair.

On a Message from the King, the House went up to attend his Majesty, in the House of Lords; where he gave his Assent to the Poll-Bill, &c. and made the following Speech, which was reported by the Speaker:

" My Lords, and Gentlemen,

"I am so zealous for the good of the Nation, that it shall be your fault, and not mine, if all be not done as should be, for the honour and safety of it: And I must tell you, there must be no time lost."]

[March 21. Omitted.]

# Friday, March 22.

The Commons delivered the following Reasons, at a Conference with the Lords, for their not agreeing with the Lords in their Amendments of the Commons Address, &c.

"I. That his Majesty having declared to us, since this Meeting, "That he had made a League offensive and defensive with Holland against the growth and power of the French King, and for the Preservation of the Spanish Netherlands," we cannot but suppose, that his Majesty hath disposed of his affairs already in order thereunto, and is therefore now so far engaged that an "immediate" Declaration of War against the French King cannot be either prejudicial or dangerous to his Majesty's affairs.

"II. That by declaring a War "immediately," his Majesty may begin the War against France at this time, upon equal terms; whereas, if things continue in this doubtful state, the French King may begin upon us, when he sees his best advantage, and surprize his Majesty's Subjects, while they go on securely in their trades, in confidence of a seeming Peace: And if we should agree to the Amendments your Lordships propose, the provocation to the French King will be equal to an "immediate" Declaration of War; and will equally justify him in such a manner of proceeding, and yet, at the same time, leave ourselves and the Confederates in great uncertainty.

"III. That the Arms of the French King have been of late fo prosperous and successful, that it may be doubted, that, if his Majesty does not "immediately" declare War, the Confederates, or some of the principal of them, may be constrained to make a Peace upon such terms, as the French King will grant; whereby we may be left to defend ourselves alone, or upon much greater disadvantages than we may do at present.

"IV. That by the words your Lordships have put in, the time would be left indefinite; and so must be subject to the exposition of those, who have prevailed with his Majesty to defer the entering into the War too long already.

" V. That

"V. That by declaring a War "immediately," the forces his Majesty hath raised must presently be sent abroad, and employed beyond fea; whereas, otherwife, they may be kept up in this Kingdom; than which nothing can be more dangerous to his Majesty, and more destructive to the laws, liberties, and properties of the Subjects of this Kingdom; the fear of which hath already possessed their minds.

WI. That by fuch a Declaration, his Majesty's Subjects. now in the French service, will be recalled, and brought thence; and, by that means, the Arms of France will be deprived of their affistance, and his Majesty and the Confederates strengthened by the addition of fo many forces, who may otherwife fuddenly be employed in fighting against those whom we defire to support.

"VII. That the charge of maintaining the Land-forces will be very great; and we can no way fatisfy those we represent; chearfully to bear fuch taxes as are necessary, unless the immediate employment of them abroad be plain and visible.

"VIII. That if his Majesty make himself a party in the War, it will be inconfiftent with the continuance of a Mediation.

"IX. That the continuance of the English Ambaffadors at Nimeguen, as Mediators, may raise a doubt in the Confederates, that his Majesty had not [quite] laid aside all endeavours of Peace, by way of Mediation, and would therefore profecute the War with lefs vigour\*; and may also cause apprehensions that the forces fent to Flanders are rather intended to enforce a Peace, than for the defence of those Countries against the French.

"X. That in the powerful condition the French King is in at present, it cannot reasonably be expected he will condescend to any Peace, whereby his Majesty's Kingdoms may be sufficiently secure.

"XI. That the continuance of a French Ambassador here. after declaring the War, may be very prejudicial, in respect of intelligence, and private correspondences: And, as to the English Ambassador in France, we conceive it better for his Mejesty to recall his own Ambassador from thence than to have him fent away †."

Whereunto the Lords made this Reply at a Conference:

"That this House being of the same mind with the Commons, in our earnest desire to have a War prosecuted against France, we think it highly necessary, at a time when we should be unanimous in our Counfels, that nothing should appear of difference between the two Houses in their Reasons, upon a matter of fo high importance to the Kingdom: And where, in our

<sup>\*</sup> In the Journal, 'tis misprinted, "figure."
† In the Journal, 'tis misprinted, "to have sent him away."

Answer to the Commons, it may perhaps be necessary to say things which might afford matter of fresh disputes, instead of arriving to that end we all aim at, we do therefore chuse to give this only Answer to the whole, that, understanding these Treaties are not yet persected with the Allies, which are so absolutely necessary to the vigorous prosecuting of the said War against France, and the obliging the Allies not to leave us alone in it, we cannot agree to the Address of desiring his Majesty to declare a War, untill the Alliances with the Emperor, Spain, and Holland, at least, shall be completed: In the dispatch whereof, we are consident his Majesty will not be wanting, on his behalf\*.

[March 23. Omitted. Adjourned to Tuesday.]

[Tuesday, March 26, 1678.

The House addressed the King for a short Recess; to which his Majesty agreed, and appointed them to adjourn to April 11, the next day.

Wednesday, March 27.

The House, according to Order, took into consideration the danger the Church of England is in, by the growth of Popery, and being informed, that Mass is publickly said in many places in the County of Monmouth, and one Mr Arnold being called in, and asked divers Questions touching the matters contained in a Paper delivered in, viz. "An Information of several Popish Priests, and Jesuits, and of the persons that countenance and support them;" and one Captain Scudamore being also called in, and asked several Questions concerning one Elliot, a Popish Priest, formerly committed to jail by the said Captain Scudamore;

Ordered, That the Thanks of this House be given to Mr Arnold

and Captain Scudamore, for their Informations, &c.]

### Thursday, April 11.

The House met, after the Recess, when Sir Robert Sawyer [on the recommendation of Mr Secretary Coventry] was chosen Speaker, in the room of Mr Seymour, who had retired into the Country (as was said) ill of the Rheumatism †. [Adjourned to Monday]

\* This Reply is not inferted, nor is this fecondConference mentioned

in the Commons Journal.

† Mr Henry Seymour, the Speaker's Uncle, acquainted the House, that he had received information, by a Letter, by appointment, from Mr Speaker, "That he was suddenly

feized, at his House in the Country, with a sickness and distemper, so violently, that he was confined to his bed, and not able to write himself; but so soon as it should please God to restore him, he would return to their Service." Fournal of the Doy.

Monday,

# Monday, April 15.

[The House, on a Message from the King, attended him in the House of Lords, where the Speaker elect was approved and allowed of by his Majesty. Being returned, the Speaker, having taken the Chair, acquainted the House, That it was his Majesty's pleasure that both Houses should adjourn themselves till Monday April 29th; and that the reason of such Adjournment was to this effect: "That the Dutch Ambassador had not at present sull instructions; and that the affairs concerning the Alliances were not yet so ripe, or sit to be imparted to both Houses of Parliament, as it was expected they might have been upon the last Adjournment,"

Several Motions were made, after this fignification of the King's pleasure of Adjournment, as it were to gain that point, controverted in the former Speaker's time, upon this new Speaker: As that of bringing in Sir William Killigrew's Bill: Another by Sir Edward Jennings relating to Durham Election, and that the Committee of Elections might be adjourned, by Order, to prevent Witnesses coming up, &c.

But because the point might be thoroughly gained, the House fell into the following Debate.

Col. Birch.] I have been at many choices of Speakers, and am heartily forry for the loss of Mr Seymour. Though I have an honour for you, Mr Speaker, (Sawyer) 1 hope Seymour may be well enough to come again to the Chair. I must take notice that the Speaker ought to report the four things the King usually grants the Speaker, which he requests in behalf of the House, &c. I hoped not for a fortnight's Adjournment; I feared it; but seeing that 'tis the King's pleasure, I humbly submit to it.

Sir Thomas Meres.] This Adjournment for a fortnight is hard. When we defired it for three weeks, it was not granted. The last Recess, there were eighteen private Bills passed, and no public Bills; and this fortnight might have been for public Bills, and the Popery matter is upon the anvil, and adjourned to this afternoon by Order, and by Order we may sit, but we cannot go through with it to day. Therefore I would send to the King, before the Lords rise, that he may be moved to let us sit. These are things which concern the Nation vitally.

vitally, to be done, and I would have fomething done of the concern of the Nation.

Mr Sacheverell.] As I stand informed, our Message to the King was, "to adjourn to as long a time as his occasions would permit." And now his great occasion is not ready for you, I suppose this Adjournment to be an Answer to your Message. The King's occasion is not fit But I doubt not, but if you signify to the King, that you have public business in your eye, which may come on till his great affairs are ready, he will give you leave to sit. And I move to desire the Lords to concur with you in still sitting, That of Popery is so necessary to be considered, that it looks as necessary as the Army itself. I fear there is Money in this Adjournment, and I move that the Lords Concurrence may be desired.

Mr Secretary Coventry.] We are to adjourn prefently, upon fignification of the King's pleasure, and I do not remember that when the King has fignified it, this was ever done before, unless in the Long Parliament—That cannot be a pressing Argument, though the Dutch have pressed that of Prohibition of French Commodities so much. What you have done by a Law, the Ambassador acknowleges he has no instruction to conclude upon, and you shut the gates to your selves, in trade,

and open them to all the world.

Sir Thomas Lee.] (Upon some calling to adjourn) Gentlemen know me too well to fit down, because they call "Adjourn." In King Charles's time, what is moved was not so unusual a thing moved as Coventry says. It was done twice. Country Gentlemens affairs will call upon them. We shall better understand who counselled the King to this, about Midsummer, than now; and if there is nothing to be done, but giving Money, then 'tis very well argued for Adjournment now. But I am sure 'tis for the King's service, that things depending should be pursued. And because the Lords are not up, I would put the Question.

Mr Williams.] 'Tis said by Coventry, "There is no precedent of this but in the Long Parliament," In the Journal you will find that, 2 or 3 Cha. I. an Address was made to the King to prolong the time of sitting of the House; and the King granted it in some part. Something, surely, we may proceed upon for the Public, as Popery, &c. without meddling at all with the affairs of the War. If what was represented at our last sitting, relating to Popery be true, for this very purpose I would address the King, that we may sit to examine this matter, it being so much for the safety of Reli-

gion.

Mr Secretary Williamson I can easily pardon the refentment of Country Gentlemen for their difappointment by this Adjournment. But the King has not known this change of his mind four days. Saturday was the last day he despaired of keeping his mind in this matter. The King had it in his mind to alleviate and foften this disappointment, by speaking to you himself. We ought certainly to clear this matter of Popery, and time may be for that. Some complaints have been of this, and this afternoon fomething may be done. My reading is little, and my experience lefs, in the nature of this Motion of an Address to the King for fitting a longer time. In the 18th of King James, there was fomething of this kind, but the Lords did refuse to join with this House. I am extremely forry that this happens in fuch a conjuncture, when there is need of all possible harmony. This is a disappointment that puts as much trouble upon the King, as upon any Gentleman here. But I hope, by the time you meet again, the King will be able to finish the matter, so as to lay it open to you. For the King cannot make them certain. For the prefent, they are as bad as bad can be. But I hope Gentlemen will excuse the disappointment, and adjourn, &c.

Mr Vaughan.] This is matter of that fatality that I fear it will take up all your time, and none will be left for the concerns of the King and Kingdom. It is an

ill thing for us to go back into the Country, and they to tell us, "we must go again to make War, and give Money." There is a Precedent of addressing for farther time, in the 9th and 13th of King James, and I doubt not but you will have the same return from this King

that you had from King James.

Mr Secretary Coventry.] (They called out, "He bad spoke, spoke") No man can say I have spoke, when I stand up to explain myself. I have read that Precedent of King James: The Commons did represent to the King, "That the time was not sufficient between the Holidays, &c. to do the business before them, &c." But when the King has declared his pleasure for a speedy Adjournment, the House never proceeded any farther, &c.

Mr Powle.] I will only tell you what amazes me extremely. On the 28th of January, the King told you, "He had made Leagues with Holland, &c." And Williamson tells you, "Things are as bad as bad can

be." I would know how that comes about?

Mr Secretary Williamson.] 'Tis better to have things upon certainty than uncertainty. There was a Treaty, and is a Treaty. Now we have made it with Holland, and come to the rest of the Allies, Holland slies off from us; and that made me say, "Things were as bad as bad can be."

Sir John Covenity.] These kind of Adjournments are very strange things, and this proceeds from your Counsels to raise men against Magna Charta, and set up Popery. No man can bear this. If the King thinks we are not sit to serve him, I desire he may be moved

for a new Parliament, and new Counfellors.

Sir Thomas Lee.] The matter being so, that the Lords are up, 'tis in vain to address the King. I shall observe, that now there is an alteration from former times; for then all the study was to make Parliaments meet and rise with complacency; but now 'tis quite otherwise. That is all the observation I will now make, and let us adjourn.

Sir

Sir John Hotham.] Since 'tis concluded that the Lords are up, we lose time to debate farther; only before we adjourn, I would remind you that, about a fortnight ago, there was a Committee appointed to send the Lords Reasons for present declaring War against the French, &c. I desire this, that we may not enter into a War merely because there are Jealousies, &c. but that the Reasons may be obvious. I move that, seeing the House is of a mind for their Religion, a Committee may sit in this interval to prepare those Reasons, about Popery, &c. that the Nation may see that we come for something besides gratifying particular people.

Sir Tho. Littleton.] I think, Hotham has made you a good Motion. It was faid "that it was a Long Parliament Precedent to have a Committee sit in the interval of sitting, &c." We still have a recourse to that topic; but the Lords have sat upon several businesses, besides the Tryal of Lord Pembroke; and 'tis dangerous for one House to sit, and not the other. A Committee to sit, is not so dangerous, and we may have a Committee

to sit, if the Lords sit.

Sir Gilbert Gerrard.] There are such a multitude of Papists, and Strangers, of all Nations, that I would have a Committee to sit, and draw up Reasons of our apprehensions of Popery, in this interval: And the House

to be called over on Tuesday come fortnight.

Col. Birch.] I am forry to hear, from Williamson, that this disappointment, &c. lies so heavy upon the King. I wonder at it, and am very forry, that that League for lessening the power of the French King, which would have given such a handle to it, should be as we are told. Those that have the handling of it will bring us out of it, I hope. The only thing to lessen the power of France is forbidding trade thither. I hoped to have heard of smoother water in Scotland; but to think of a War with France, without the help of so great a limb of us as Scotland, is very dangerous I hope and believe that nothing but this of the Dutch, &c. is the cause of our Adjournment. I have been lately in the

Yol. V. T Country;

Country; they find but one public Bill passed, and that for Money\*: And they are in sear of Popery, and worse. I would have that Committee (moved for) for that very reason, for a Conserence with the Lords about Popery, &c. and I like the calling over of the House, as has been moved. But first put the Question for the Committee.

Sir John Ernly.] I did resent this of the Dutch before, but I could not have thought that so great a retrograde would have been; but de fasto 'tis come to this: The Dutch Ambassador has no Instructions, &c. and if we let slip this French trade to them that lie at catch for it, you will have little effect of lessening the power of France. I never hoped to have heard of a Convent of seminary Priests in England, &c. I did, and do stand amazed at it, and that they should have 300 l. a year—'Tis very sit to be enquired into, and I would have the Committee sit this afternoon, to enquire into it. If it be true, 'tis the soulest thing in the World; but if it be not, this House is abused, &c.

Serjeant Seys.] I move that the Committee may sit de diem in diem, till the thing be fully enquired into.

Sir John Trever.] I think you were informed that the Reasons were not prepared. The matter is of that consequence, and so much of it, that one afternoon cannot perfect it; 'tis so out of order, that the thing would be disorderly to report it. I suppose two days may end it, but under that time it cannot.

The Speaker.] You may revive that Order for the

Committee to fit.

Sir Thomas Clarges.] If there be any doubt of a Committee fitting in a receis of Adjournment, there are divers Precedents of it; and there is no doubt but they may fit.

Ordered, That the Committee appointed to draw up Reasons for the Conference to be had with the Lords, concerning the danger the Nation is in by the growth of Popery, do sit during the interval of the sitting of the House, to perfect the matters referred to them, &c.

Sir Thomas Higgins's words gave offence.

Slr John Coventry.] I am forry to sit in the House to hear persons justify Popery; and he deserves not to sit here that does so; and this will be till you find out somebody.

Sir Thomas Higgins.] I did not fay "that the account of the Convent of feminary Priests was false:" But I know those that do affirm that it is false, and I am informed by people of very good credit that 'tis not so.

Sir Francis Drake.] I aver that Higgins said, "I am the rather for the Committee's sitting, because I do believe that it will be proved all salse;" and I desire he

may be called to the Bar for it.

Col. Birch.] I hope the House will not cool, when there is a greater occasion than this. I was one of those that put Higgins into this Committee. What Higgins doubted was for better information. I hope that all this that we have heard is not true; but I would have it examined to the bottom. I hear that there is dirt thrown upon the Gentlemen that appeared at the Bar to prove it; but, I believe, they will prove it, and I am consident of it. There is my considence against another man's considence. I would have the Committee sit four or sive days only.

Sir Thomas Meres.] Those Gentlemen, I believe, that were so warm as to call Higgins to the Bar, did understand the thing amiss; but I doubt his first words were very harsh, though he has explained them. No man doubts but that those Gentlemen of Herefordshire were turned out of Commission of the Peace, after they had done their duty about the Priests, &c. and another was made Sherist, &c. But turning out one Justice in the face of his Country is a discouragement to two hundred. Whipping one dog makes them all run away; and this does in a great measure prove the thing. This appointing a Committee, &c. hath been often done, in an interval, of sitting, but I would not assign them only two days, to lay a restraint upon them. It looks like distrust of their modesty.

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Sir Thomas Clarges.] I know Mr Arnold, the Gentleman that was turned out of Commission, and I wonder Higgins should say he will be disproved. His father would never comply with paying taxes in any of the usurped Governments. Worthy Gentlemen, the Knights of the Shire, had the examination of the thing, and I have it in my pocket to evince all this; and I wonder Higgins should speak of men that can contradict it.

The Committee was ordered, &c. (as above,) and the House to be called over Tuesday fortnight, and Letters to be sent to the Sheriffs, &c. as formerly. The House then Adjourned to April 29.

# Monday, April 29.

Sir John Trevor reports, That the Committee have taken the information of Mr Arnold, and Mr Scudamore, and several other Justices of the Peace, and have disposed the matter under three heads: 1. Popish Priests, by whom kept, and where Masses are said. 2. Justices of the Peace, and others, that savour Popish Recusants. 3. The proceedings in the Exchequer against Recusants.

For the first, in the County of Monmouth, Mr Arnold's examination says, "That one Lewis, a Priest, has been in that County seven or eight years; he hath seen the Chapel wherein Lewis said Mass." One said, "that Lewis had been a Priest these sixteen years, and that he was the Superior of all the feittee sixteen years, and that he was the Superior of all the feities in North and South Wales." "Captain Syliard is a Romish Priest, and hath endeavoured to pervert several to that religion."

2. The Committee was informed that Mr Fenwick was put into the Commission of the Peace, in Northumberland, whose Wise was a Papist, and his Children bred Papists. The Knights of the Shire desired that Mr Carnaby, a Protestant, might be put in, in his stead, and were resulted by the Lord Chancellor.

3. The Commissioners for estreating two thirds of the Papists Estates in Monmouthshire, the 22d of July, 1675, of all the Lands there returned into the Exchequer 4 l. 13 s. 4 d. the forfeitures of Protestant Dissenters, and not Romish Recusants. In London and Middlesex 300 l. Of Romish, 3 s. 4 d t.

The House then attended his Majesty in the House of Peers, where the Lord Chancellor, by the King's Command, made a t See the Report at large in the Journal.

Speech,

Speech, in which he reminded them of "the King's offensive and defensive League with Holland; signified that his Majesty had endeavoured to improve that League by entering into farther and more general Alliances, for the Prosecution of the War; but that he had nevertheless thought fit, before he made his last step, to take the farther Advice of both his Houses of Parlia-

ment; and that he refolved to govern himself by it."

His Lordship then undertook to give a brief deduction of affairs, from March 16, 1676, to show, "I. That the Addresses of the Commons did not recommend immediate War, but Alliances; in particular with Holland, by way of a preparation for a 2. That the faid particular Treaty could be no otherwise fet on foot than with the Prince of Orange, who was in so great a hurry of business, and such a heat of action, that no time could be found to enter with him upon that Treaty. 3. That his Majesty, to lose no time, had laid out all the 200,000 1. which he was enabled to borrow, in military Preparations, and that if he had been furnished with the 600,000 l. he demanded, he should likewise have laid it out, by this time, in land or sea stores, and provisions, to universal satisfaction. 4. That when the Prince himself arrived here, it appearing that the States still continued violent for a Peace, which they had applied to him to procure for them, in January, May, and September last; and that, consequently, his Majesty's endeavours for that end would be grateful to them, he took that opportunity to engage the faid States that, in case of refusal, they should co-operate with him to carry his point by force of Arms, his Majesty well perceiving that being then weary of the War, they would enter into no Alliance with him without a prospect of Peace. 5. That in the midst of their most pressing dangers, his Majesty had given his Niece to the Prince of Orange, as a pledge of his Attachment to their interest; which alone was enough to extinguish the fears of all at home, and raise the hopes of all that were abroad. 6. That to the end it might be known, whether the Most Christian King would consent to such conditions of Peace as would be grateful to the States, the Earl of Feversham was fent to Paris, but returned with an Answer very diffatisfactory. 7. That hereupon his Majesty hastened the Meeting of the Parliament, and concluded the League offensive and defensive with Holland; which he was graciously inclined to communicate to Parliament, if they should desire to see it. 8. That he had, moreover, concluded a perpetual defensive Alliance with the States. q. That in pursuit of the first of these Leagues, he had called upon the States to adjust the several Quotas by sea and land, which the several parties were to furnish: That he had T 3

communicated his own: That he had fent some Forces into Flunders already, and would have fent more, if some difficulties had not been made on that fide [relating to Oftend,] which, for friendship's fake, he does not think fit to communicate. 10. That the next thing absolutely necessary to be done was, to form one common Alliance, for all parties to enter into, for the making the necessary dispositions for carrying on the War, for establishing a general prohibition of Commerce, and providing against all possibility of a separate Peace. 11. That to this end his Majesty appointed Commissioners, on his part, to treat with the Ministers of the respective Powers; but when it came to the iffue, it appeared that the Dutch had no Power to treat. ["Conclude" his Lordship should have said ] 12. That when, upon his Majesty's own earnest instances, Powers did come, they were unaccompanied with Instructions. 13. That his Majesty now finds what he always feared, that the Dutch are making hafte to get out of the War; and are so far from being disposed to enter into any new Alliance for the more vigorous profecution of it, that, whether they will persevere in that which they have already made, depends on very many and very great uncertainties. 14. That, at this very time, they give ear to fuch a Treaty as (the Most Christian King hath thought fit to offer at Nimeguen,) as before mentioned,) though it be without his Majesty's consent or privity, and contrary to that League by which they stand obliged to him to profecute the War till a much better Peace can be obtained. 15. That his Majesty hath sent to desire an Explanation of this manner of proceeding, and to diffuade them from it, by letting them fee that this will be as ill a Peace for themselves, and the rest of Christendom, as their enemies could wish. 16. That as yet he has received no answer but complaints of their great poverty, and utter inability to carry on the War; and that he is told by their Ambassador, that they intend to fend over an Envoy Extraordinary, to beg his Majesty to accept of the Propositions, and to excuse themselves on the general impatience for a Peace. 17. That this is the state of the case between us and Holland; fo that there is little reason to hope that the States will fo far enter into the common Alliance, as to make it quadrupartite: And 18. Upon the whole matter, his Lordship ended as he began with "his Majesty's demand of their Advice, as to what would be fitting for him to do, in this difficult conjuncture \*."

After

No doubt, if ever his Majesty had not only belied him in their was in earnest provoked against Declaration, all over Europe, but trisled, it was now; when they trisled with him in his Money Treaty

After several Motions, &c. were made to consider of this Speech.

Col. Birch faid, Since the King will lay all the matter before you, I should be glad to see that which is called the "defensive League" only. The King is pleased to fay "you shall see it all" now, which might have been done before. But the hand of God is in it; we must see it now. I would have the whole matter laid open now; and not have it put off to another day.

Serjeant Maynard. You cannot consider of the Speech, till you have the whole matter to confider of, and that

cannot be to-day.

Mr Secretary Williamson. If you desire the Treaty with the States-General, you may have it before you

rife, if you pleafe.

Sir Thomas Clarges.] I defire speedily to go about it, eo instante, now. My observation upon it is, that all our Addresses to the King have been made for a War; and, in the Chancellor's Speech, we hear of nothing but Peace. We gave Reasons for it in our Address, and I wonder no proceedings were in it, before the States had communication with the Prince of Orange, who is their fervant, and that made the Dutch jealous of him before. I would willingly fee thefe Alliances, that we may go on.

Sir Thomas Lee. You would do well, I think, to confider what is the advantage of this; your discourse is for War, and your Address to the King accordingly; and fo what relates to Peace is out of your fense and intention; therefore I defire not to fee the Treaties.

Mr Garroway.] I differ from Lee. I would fee the Treaties, that the World may fee how we are abused. We were told of War in the beginning of this Session, and one faid "he would rather be guilty of forty Murders, than it should not be War, and you must not

Treaty. We are therefore to give fo much the more attention to the fcope of the Lord Chancellor's Speech, which is very imperfectly touched on by Mr Ecbard, and totally suppressed by Rapin, and every touched on the control of the confisions of Bishop Kennet, either overlooked it, or had no intelligence of this remarkable Speech. Ralph.

then procrastinate a day." And will you not see the truth of it? You have given away the Nation's Money to no purpose, and have raised men for an actual War, and that is turned into a Peace; which was never your intention. 'Tis fit the World should see the reason of this.

Sir John Hanmer.] The fense of the Chancellor's Speech is, that the King has proceeded to War as much as he could, and the Dutch say they have been so wasted with the War, that, without a preliminary from the French King, they would go into a Peace with him. France would not give any, and then they would treat with the King. The King has all along intended War with the French, and has endeavoured to do it, and the Alliances are not come up to it. The Treaties may be seen and had; and I believe the King will do whatever shall be for the good of the Nation.

Sir John Hotham.] I would fee all the Treaties, for I believe there is more than one; and I fecond the Mo-

tion.

Sir John Ernly.] I doubt we all shoot at random, without the sight of these Treaties. The King, I assure you, will have no reserve. The King did think the Dutch would do as they have done; and I would have all things plainly before you, prepared for this matter. Perhaps 'tis no jesting matter; perhaps the Nation

was never in a thing of fo much weight before.

Sir Thomas Meres.] Those of my opinion never thought this "a jesting matter;" we told you allalong we went blindfold, and should stumble in the dark. And you were told so some time since, when "things were as bad as bad can be." And there is a stumble in the dark for you. When they would not let us see this Treaty, it seems, our advice was not worth taking. The thing was only for Money, and now we are an old Almanack; out of date. We see it; now we see it plainly, that these Alliances are a fort of riddle and ænigma; the mother begets the daughter, and Peace begets War. Let us see, pray, these Alliances, to compare them with

with what copies we have had before. I defire that those Gentlemen that moved it may go to the King for them.

Mr Secretary Williamson.] Those that are to do your commands, would willingly understand them. What are the Leagues you mean, that you would desire to see?

Mr Powle.] In the Chancellor's Speech there was mention made of two Leagues, "offensive and defensive," and "of perpetual defence." I desire we may have them, that we may be better guided by what we have in writing than what is said.

Col. Birch.] I would have but one work of it. I would not therefore defire only that League offensive, and the other defensive, but defire the King to communicate such Leagues or Treaties sent to the Prince of Orange, or that the King has from him, as relate to that of Peace.

Sir Thomas Clarges.] There is a project of a Treaty that Lord Feversham carried into France: I would see that, and have all things relative to this matter communicated to us.

Sir Thomas Lee.] I would defire the King that he would communicate such Leagues as may clear you in this matter. Perhaps, if the King thinks sit to go on with the War, he will show you what Leagues are with France, likewise, and those I would very willingly see.

Mr Garroway.] I would not have these words in the Message to the King for the Leagues, viz. "That the House may ground their Advice upon:" They are too obliging, and Perhaps we shall have other matter to ground Advice upon.

Ordered, That the Members of this House that are of the PrivyCouncil do desire his Majesty, that he will be pleased to communicate to this House all such Leagues and Treaties as are mentioned in the Chancellor's Speech, or relating thereunto.

[The House then resumed the consideration of the state of the Kingdom, with regard to Popery, and received and approved certain Reasons\*, to be offered at a Conserence with the Lords,

victing Popish Priests, by proving rived from the See of Rome,

to induce them to co-operate in feeking a remedy against this

growing evil, which ended with these remarkable words:

"And that this may be done with all expedition; because the Commons cannot think it suitable to their trust, to consent to lay any farther charge upon the people, how urgent so-ever the occasion be that require it, till their minds be satisfied, that all care and diligence is used to secure the Kingdom, and prevent the dangers that may arise from the prevalency and countenance that is given to that party, by some more effectual course than hath been already provided †.]

#### Debate.

Sir Charles Wheeler.] I would fee by what Order the Committee could draw up any thing to prefent to the

Lords, in relation to giving of Money.

Mr Goring.] Because some Gentlemen have not done their duty, must the Nation be lost for want of giving the King Money? The Committee has not done their duty in putting in the [above] Clause of not granting Money, &c. and they those defend it shall be called to the Bar.

Mr Secretary Williamson.] Perhaps be the extremity may be so great for raising Money, that you may leave out all this Paper. I would have this thought of.

makes them more confident to appear in public, and perform their offices and functions, without fear

of punisment.

"2. That Justices of Peace are discouraged, because several that have been forward in executing the Laws against Papists, in such Counties where they most abound, have been turned out of Commission, without any apparent cause; whilst others, suspected to be popishly inclined, have been continued in Commission, or put in de novo.

"3. That, in several Counties, many Protestant Dissenters have been indicted, under the notion of Popish Recusants, and the penalties of the Law levied upon such Protestant Dissenters; when the Papists there have been totally, or for the

mott part, discharged.

" That the Papiffs do evade the pena ties of the Law, by making over their estates, by secret trusts,

and fraudulent conveyances; and receive the profits of them to their

own use and benefit.

"5. That persons are not discouraged to breed up their Children, or to suffer them to be bred up in the Popish Religion; because they are as capable of inheriting the Estates of their parents and relations, as any other of his Majesty's Protestant Subjects."

† Sir William Temple charges Sir Thomas Clarges with having been the Author of "this peevish Vote," as he calls it, in spleen to the Lord Treasurer. He adds, "'Tis certain no Vote could ever have passed more unhappily, or in such a counter season." And again, "In short, there was such a fatal and mutual distrust, both in the Court and Parliament, that it was very hard to fall into any sound measures between them."

Col.

Col. Birch.] I am not for carrying a thing by a Queftion, but by Reason. I little thought that your Committee would have been guilty of Treason, (as the Bill you intend imports.) Is there any Gentleman will stand up to say a word against the safety of Religion? No man can say that this Address hinders giving Money, if there be occasion, and enables it to give Money. If any man would not secure the Protestant Religion, let him rise up and say so.

Sir Robert Carr.] If the Committee have gone farther than your Order, we may fay fo. Till I have feen the Treaties, I cannot give my Negative to Money. I would have the latter part of the Address, relating to Money, put to the Question, by itself, and to the rest

I am ready to give confent.

Sir Thomas Meres.] If you lose your Religion, you lose all your Liberties. You cannot save the Protestant Religion, but by this Paper—Farewell Parliaments, and all Laws, and Government, and the Protestant Religion, for they are all one! There is no haste to any thing else. In 1670, you did more than you now have done, and it came to nothing. You have nothing in the Address, but from the last Clauses. If they be left out, 'tis but brutum fulmen. If you intend nothing, and will sling up all Religion, sling up that Clause.

Mr Vaughan.] Whether Protestant Dissenter, or not, &c. is not the Question, but the Papist is plainly spared in the Conviction, and slips from the penalty of

the Law; and that is your Grievance.

Col. Birch.] The Quakers here, at your Bar, did make a difference of themselves from Papists. They declared, "they were of the same faith and belief as we are, only that some matters that were invented by men, they could not join in;" and that was a good account of themselves. But when I heard Sir Solomon Swale here, and Sir Thomas Strickland there, (whom you have expelled the House for being Papists) cry up the Church of England, and run down the Protestant Dissenters, that alarmed me.

Sir

Sir John Ernly.] I doubt there will be great inconvenience in the last Clause of the Address. We have now raised Forces, &c. and they are going over, &c. and if we fear the growth of the power of the French King, and our men are going over, &c. there can be no greater discouragement to them, than that you will give no Money till all this be done. And since you have made this another part of the Address, not in your Order, I would lay it aside till another time for consideration.

Sir Philip Monckton.] Settle Religion, secure that, and no doubt but you will secure the Nation; else, all is lost. You have seen the Royal Family have one sad fall, and as you would preserve that, preserve Religion.

Sir Richard Temple.] If you do not provide for your fafety, Popery will the more easily come in. Show your zeal, but according to knowledge. I would preferve your Safety and Religion. This is of dangerous consequence, for a Committee, in intervals of Parliament, to prescribe ways to the House in giving Money. Is this proper to tell the Lords? There was never such a thing done, to put this office out of our own hands. It will not be a reason maintainable there. I would have nothing done thus, by side-winds, and I would leave out this Clause.

Sir Thomas Littleton.] Upon the Debate of the House, when the Committee was appointed, a stop to the raising of more Money, till our fears of Popery were remedied, was part of that Debate. It was a young Gentleman (Mr Goring) not used to speak, that would have had the Committee called to the Bar, for putting that Clause in without leave of the House; but I would have that forgotten. But I believe it will pass the Lords, and pray try whether it will do so, or not. Let all things be forgotten that are passed, and, for the suture, I hope the Ministers will redeem what is passed, and I would agree with the Committee.

Sir John Ernly.] There have been more Convictions in the Exchequer fince my time, than in any man's in that Office before me. And I shall do my utmost endeavours

deavours to suppress the growth of Popery. I said, "This will be some discouragement to your forces by Land and Sea." 'Twill be an encouragement to your enemies, and a great inconvenience to you. But if there be no other way to keep your Religion, but by this Clause, I would not be against it. But as for these words, "Justices of the Peace put in to countenance Popery," I am forry they are brought in here. I wish you would leave them out.

Sir William Coventry.] I profess, I intended no reflection, in what I said, upon Ernly. I am sorry he had cause to apprehend it. That Gentleman sees and knows more than a Country. Gentleman, of the obstructions that this Address would make to our preparations against the French. When I had any thing to do in the Exchequer, they were inconsiderable that were convicted of that number, &c. But I do not remember any obstruction in levying the penalties upon Recusants. There was never any Order by a general direction for levying of the two thirds of their Estates, and as to letting loose all those who had passed away their Estates in trust, and thereby giving an indemnity to all the Papists in England, who have no lands at all, I never remember any such thing.

ber any fuch thing.
Col. Birch. We

Col. Birch.] We have an Army now raised, and some of them are gone beyond sea. Of those there were neglects in giving the Oaths, &c. and of those here left behind sow have taken the Test. Mr Baynes, the Muster-master, said here, three or sour Companies had. Now they have so much Money for raising their men, and Subsistence-Money, and we look not upon them as Soldiers, till they are closed in the Muster-Roll; and that may be not till after Michaelmas. In Ireland there are Popish Officers, and suppose all the Popish Officers were to get into Flanders, in a heap, you would have work then to some purpose. This induced the Committee to put in the latter Clause. Pray put the Question, and I hope we shall not have a Negative.

Mr Powle.] I hear much about Forces beyond fea, and of rules given them. I hear one strange rule, "that our Forces must stand uncovered, at the Host's passing by, in their Processions." I would be secured from those

Forces bringing in Popery.

Sir Christopher Musgrave.] This will be a great discouragement to those Forces, that go over to hazard their lives to prevent the growth and power of the French King, to have such a character put upon them, as if they would bring in Popery. 'Tis told you over the way, "That the Soldiers have Subsistence-Money, and that the Muster Roll is not closed." But 'tis not the Officer has that Money, but the Soldier, and the Officer takes the Tests. This reason, at the latter end of the Address, invalidates all your other reasons, as if the former reasons had no strength without the latter. I would leave it out.

Sir Thomas Meres ] I agree with Musgrave, that all you have said before has no reason in comparison of this, &c. The point, in short, is this; if you will carry on the safety of the Nation, you must carry on your Religion; if you carry not on your Religion, you are broken and disjointed, and sarewell all! I would not have it thought, that, within this House, there should be any inclination to Popery. And in that I cannot be mistaken. I have always thought that this House is the bulwark of

the Protestant Religion, and ever will be.

Sir Adam Brown ] I believe, if Popery ever comes in, it will by the French. We fend out of England Church of England-men, and we leave Papists and Fanatics behind. What are they that stay at home? Papists and Fanatics are not free to fight. Nor will they undergo any Civil employment, or office, and have all the favour of ease, of charge, and trouble. I will venture my life and fortune, if you will go extraordinary ways, and I would very unwillingly give my Negative to it.

Sir Edmund Jennings.] Putting such a stop upon Money now in this manner cannot stop the growth of the power of France, of which there ought to be all the care and diligence that may be. If there has been neglect

from

from the inferior Officers, who managed the Exchequer, reflection ought not to be upon the superior, who managed the Exchequer. There was not that care taken by the former Lord Treasurer, as now.

On a division, the last Clause was agreed to, 120 to 80.

[Ordered, That the Members of this House, that are of the Privy Council, do humbly defire of his Majesty, that the original Proposals of Peace, Dispatch, and Instructions, sent over into France by Lord Feversham, and the Answer of the French King, may be communicated to the House.

# Tuesday, April 30.

Sir John Coventry. Complains that his footman's head was broke by one of Sir Charles Wheeler's Captains. He added, I speak for the Privilege of all the Commons of England, and, for ought I know, these men are raised for an imaginary War. These red coats may fight against Magna Charta.

Mr Mallet.] This Gentleman was once affaulted in his person,\* and now he is in his servant. I would have

it enquired into.

Sir Edm. Wyndham, Knight Marshal, Takes exceptions at Coventry's words of "an imaginary War," and would have them explained.

Sir Nic Carew.] We have Soldiers in England now, and they were raifed to be fent abroad, and they are kept

here: There's an explanation for you.

Mr Williams.] Drums ought not to be beat here, and red coats to be about the Parliament, in terrorem populi.

Sir Robert Carr.] These Soldiers were raised by your Advice, and I hope you will give them leave to march upon their Duties, and come to Westminster-Hall, to take

the Tests appointed by Act of Parliament.

Sir b. Clarge. It is the ancient Law of Parliament, that armed Men should not be about, nor near the Parliament, in terrorem populi, to disturb your Members in their Attendance; and I move to have the matter enquired into, and that you would justify your Privileges.

Mr Williams ] Martial Law has no place, but when

(\* See Vol. I. p. 333.)

Westminster-Hall is shut up, and the King's Writs cannot have their free Course.

Sir Wm Covenity.] Since the Captain, on one fide, is of a good Family, and the information is of a Member's fervant, on the other, being beaten, I would have the matter examined.

Sir John Coventry.] My fervant is at the Door, to justify the thing, and if you'll have such Captains in employ-

ment, you may.

Sir Philip Harcourt.] Your Member's affirmation is fufficient; 'tis conviction enough. Coventry faid, "he was going to do his Duty in Parliament, and therefore the Captain broke his man's head." I wonder the Speaker is fo flow in doing his Duty. I would have Coventry's man called in.

The Speaker.] When complaint is made of a Member's being allaulted, you immediately fend for the person that did it, in custody. This is upon a Member's servant, in the Member's presence; and 'tis the same thing, and there is equal Privilege. But this is from an information to your Member. If you call the man in, you must instruct me with Questions to ask him.

Sir Thomas Lee.] Always in this case, 'tis the custom for the Speaker to ask Questions at his discretion, and if he do it short, he is told of it, and the person is called

in again.

Coventry's footman was called in, and faid, "The foldiers struck the coach-horses, and he did alight from behind the coach, and asked them, Who was the Captain of the company? Upon that, the Captain struck him over the head, but he did not tell him that his master was a Parliament-man."

The thing went off, without farther proceeding.\*

Mr Harwood.] I wonder at the fending Lord Duras [Earl of Feversham] into France; the only man that should not have been sent with the Treaties to the French King. I would see what he brought back with him in writing.

<sup>\*</sup> No mention is made of this in the Journal.

Sir Robert Carr.] What Lord Duras carried over was verbatim, what he had orders for; and he had nothing to bring back, but Aye, or No; and it would have been ridiculous to have brought that back in writing.

Some quarrel being apprehended between Mr Arundel, a Member, as a kinsinan of Capt. Arundel's, who struck Sir John

Coventry's fervant.

Mr Vaughan faid.] No man can take the Justice of this House upon himself, when the House must have the satisfaction of an offence done against their Privilege. Coventry, has declared, "That he intended no reslection upon Mr Arundel's family, in what he said of the Captain;" which I think is personal satisfaction, though the case is the House's, and not his.

Sir Thomas Lee.] The Speaker would do well to invite these two Gentlemen to dinner, and take engagements from them to proceed no farther; as has formerly

been done in fuch cases.

The Speaker.] The House ought to make Judgment on the Words spoken here as to itself: Coventry, has said, "that he intended no reflection, &c." and they must both acquiesce in the Determination of the House. And if they please to come and dine with me, they shall both be very welcome.

Sir John Trevor.] I never faw the Speaker speak to a Member with his hat on before, when the Member stood by with his hat off; unless the Member was at the Bar—

The Speaker did ask several Members bow he should deport himself, and was so informed.

[Debate on the Treatics refumed.]

Mr Garroway.] If Lord Duras has brought back nothing from France in writing, then you gave your

Money for nothing.

Mr Sec. Williamson.] For you to go out of the War, without leave of the Allies, is a point the States will not come up to—Their Ambassadors had no Instructions; nor to the going over of our Forces; and this was the Reason of the Adjournment. The Gentleman that's come over gives a sad account of things. The people Vol. V.

in Holland have an extreme aversion to the War, and how unsufferable soever the Terms of Peace from France are, yet confidering the flowness of the Confederates, and the ill payment of Spain, his Masters concluded that these French conditions were aucunement tolerable. As to force, they fay, "They are obliged to affift the Emperor, and Spain, with twelve or fourteen thousand men, if they can;" and upon our kind engagement of 90 ships, and 20,000 men to go into Flanders, the States will continue those Forces they have in Flanders already-For our Forces, the King did, by Mr Hyde, propose a concert of 90 ships, and the land forces, &c. and they to continue the same army out; at least, as many men as they had the three last years: All this they would not come up to; of all which you may have the particulars, if you pleafe.

Mr Vaughan.] I wonder at one thing, that we should propose of ships; whereas the proposition should have

come from them who wanted the affiftance.

Mr Sec. Williamson.] It will appear, upon farther enquiry, that the King has been forced to lead in all this business.

Sir Thomas Meres.] It was told us, that it was a concert, and so 90 ships on our part; but for that 50 had been sufficient; which was, it seems, only an induce-

ment for us to give money.

Mr Powle.] The Treaties, it seems, were made, but the principal things were left out. We suppose all the Transactions are extant, and, therefore, I would see those

of Lord Duras brought to the Committee.

Sir Wm Coventry.] I would not put more hardships on the honourable persons than needs must. The House must authorize them, before they can bring any Treaties. God knows, too much time has been lost, and I would lose no more. As to the concert spoken of, I would willingly see something of that. I suppose that was a proposition of 90 ships, &c. If so, 'tis a very fair proposition, for us "to lead," as Williamson says, and 'tis a matter of great frankness in us to offer the most first.

To get money, foreigners will go upon it-The concert begins with obliging himself about the beginning of 7anuary. But the Dutch running into a Peace is but of twelve or fourteen days, but of that concert fomething the Duich surely did say of land forces. The burden must lie upon us, else, if it be a War; the States anfwer all with their extreme poverty, and they cannot come up to it. The Confederacy must go into their holes, ask pardon, and submit; and Holland must submit too; and, perhaps, the French Ambassador will be greater at the Hague than the Prince of Orange. The King of France, for the present, rests, and when he'll awake, God knows: I know not. I hope they that brought us in, will bring us out. I know not the way, I affure you. We want a little of their advice and skill, to help us out. We met in the middle of January, and now 'tis the latter end of April, and though we are but upon imperfect conclusions, yet I should be glad to see what the States have done, in writing, (though unpolified) with us all this while.

Col. Birch.] I take it for granted, that Williamson has power to produce us papers: If he has not, he may defire the King's leave, that he may communicate what he has requisite for our enquiry.

Mr Secretary Williamson.] I have no such power with-

out the King's leave.

Mr Vaughan.] No wonder if the States flew off from our proffer of 90 ships, for no Nation could bear that number. I would see what Answer the States have made to that Proposition.

Sir John Ernly.] Perhaps, 90 ships, in their low condition, are more than they could come up to. I would

have you fee that Answer of the Dutch.

Sir Wm Covenity.] If the French King should come up to these Propositions, he could not answer them; they would not please his people; and I hope that will be in fashion here too, amongst other things. Else I could wish this Proposition had never been sent.

Mr Garroway.] The King of France has answered,

"That the Proposition will not please his people;" and shall we pass these things off, without seeing papers? I cannot believe that the Ministers would not put these

things in their papers.

Mr Sec. Williamson.] Lord Feversham's Answer was to be Aye, or No, from the French King, and he could not do it for fear of displeasing his people. Will you think it for your service to insist upon what's before you in the Treaty?

[Adjourned to May the 2d.]

## Thursday, May 2.

[Debate on the Treaties refumed.]

Mr Powle.] This matter will not bear a palliative cure. It is plain, that Holland is jealous of us on one fide, and Spain on the other. We are told that we are to fend 30,000 men into Flanders, and 90 ships to sea, for our concert, and this for a pretence to ask money; and this has insused great jealousy amongst them.—Such a paper in print—Who could think we could ever go into war—And we fall upon Scotland, and they are arguments as if they might do the same here. This is the result of secret dealing with France, and underhand in Holland. This is plain by the denial of a sight of Lord Feversham's papers. This is strange that our advice should be asked, and, yet they will show us no papers. This is to show us things by half lights, and it will create jealousies in us, and we can say nothing till we are thoroughly informed.

Sir Thomas Clarges.] What Lord Feversham has done in France, and Mr Churchill in Holland, we see not. So that the Question is now, not what advice we shall give, but whether we should advise, or no. This going underhand insuses great jealousies, (as if there was some designs to alter the Government in Holland,) raised unnecessarily betwixt the States of Holland and us, about the Prince of Orange—Like such a design of making the Prince of Orange absolute, and that of Guelderland, if he interpose, to ruin him. These matters are secret to us; there are prints of this; I have seen them. Holland cannot find 90 capital ships, and we were cozened by Bankert, who negoti-

ated it, and he cozened the States—'Tis said, that these 30,000 men to be sent over, will breed a jealousy in Flanders; when we might easily have saved it by auxiliaries, from other places—This has created jealousies justly.

Col. Birch. I Lagree fully that we have not fo much matter before us, as we expected, and, therefore, I would more particularly fay what I think we want. I take it for granted, that this is a business which cannot stay long. The King of France has given a day for the Dutch to accept of the Treaty, and the Dutch tell us, they have a great tendency to accept of what is offered. If they make this Peace, or any thing like it now, they must fall wholly into the hands of the French King; and I would be told what we shall do when that day comes. Their poverty and jealoufy are two main things that they infift upon. Of their poverty we heard little till the raifing the fiege of Charleroy, and foon after was the Marriage of the Prince of Orange. To call it jealoufy, I fee no reason, but why called demonstration? About ten years since, the time Sir Wm Coventry was laid aside, from that time what public thing has been done, but demonstration? Draw it down from the Triple League; fee if not more like demonstration than jealoufy. I have heard, and feen it, that one part of the agreement was, one to affift the other against Rebels. Therefore, I would have a time to fee those papers, for truth, and the bottom of those things. As for the conduct of our Ministers, that in due time may be thought of. I do agree to an Adjournment of this Debate till to-morrow, but yet fomething more may be done. I take it for granted, that till the jealoufies be cured, 'tis to no purpose to do any thing to gain their affiftance, and not so much for that as to prevent their conjunction with the French King. This being the case, a day is a great matter. Foreign Ministers stay here to observe us. If any of them are jealous of altering the Government, or we of one another, I would cure that. If any thing be faid that interfered with the Prerogative, I would remove that. Part of the Chancellor's Speech is of the King's taking the advice of this House; the other not. I move that perfons of both Houses meet to confer, to cure this jealously, with the foreign Ministers. I say it only to be thought of,

not insisted upon.

Mr Sec. Williamson.] As to the unfortunate thing of jealoufy, I cannot agree to fome things spoken to. As for foreign jealousies, I will say nothing to them, but to our own part of it, as that of instructions to let up the Prince of Orange absolute, they are unfortunate mistakes; he infifted only upon the Stadtholdership perpetual. The matter the States liked, but the motion from a foreign Prince was a scandal to their Government. This was all the King ever interposed in that affair, in the agreement in the first War; and in the last War, the King would leave that to the States. There were propositions, as to Rebellion, as well as Invasion, &c. and this shows you that this has not given jealoufy, fince the jealoufies were already that gave them. In fact and practice, Treaties were always fo as to Rebels in each others countries. In 1667, it was at Breda the fame. I will never allege fact to lessen my credit. That Article was in regard to the Messina Rebels, &c. and is universally in all Treaties. The King offered not to come out of the War without the confent of the Allies-I defire to clear the matter of fact—But I would not adjourn the Debate upon a point, and leave it upon a thing that you may not be answered in.

Sir Tho. Meres.] Now the thing is owned, that the demand of the Stadtholdership perpetual for the Prince of Orange was a matter of jealousy, and calling each others Forces into one another's Country, was a matter of great jealousy. If Williamson must rise as often he thinks we mistake him, or he us, he must do it often. If Water and Oyl be applied to a Wound, I would pour in Water before Oyl, else we must never expect to have it clear for the Oyl. But what is it we were to advise, if the thing was nothing but a plain Negative, or Affirmative? We must have things clear. I will never give occasion to be told that we have gone beyond our power. I would be told first, and informed, that we may not be sent away with Papers pinned upon our Backs. It is plain we have shown

it, that, in these things, we are in the dark, as to manner and matter. The Negotiation, Employ, Concert, that Col. Churchill brought from Holland, I wish we might see that, to know and approve what that is, together

with Lord Feversham's Answer from France.

Mr Williams.] I rise up upon one Article, that of reducing each others Rebels, &c. The fear and jealousy of arbitrary Power, this gives occasion of jealousy, that such Persons will be esteemed rebellious whom the King's Council tells him are so: Perhaps they may say the House of Commons is rebellious, and that Army raised may go against them. I find jealousy of Counsels in plain connection in the Chancellor's Speech, that Counsels are amiss; that the King has been cheated—How can we be just to our Country, if these Persons that have thus missed the King and us, are not punished! Your Adjournment now is for a clear light, which I expect from the good Counsel, and I hope they will expose those that are otherwise, and for that purpose I would now adjourn.

Sir Wm Coventry.] I will only offer a word to Adjournment. When I heard it called for first, I thought it too early, but much has been said since, which possibly may be very useful. But he is not a good Surgeon that will heal up a wound the first day he lays it open. The plaister that must heal, must come from another hand, and much better without our asking than with; and I believe it will come much sooner; and, therefore,

without any farther ado, I would adjourn.

After the Treaties were read, [viz. the League offensive and defensive, and the League of perpetual Defence, with their separate Articles, (for the particulars of which see the Journals.)]

Mr Secretary Williamson, said.] As for the Treaty, or Proposals, for ascertaining the Proportions of Ships and Men to be provided by England and the States, with the Answers thereunto, his Majesty does not think sit to let Papers of that concern be exposed to public view,

The

The Lord Chancellor's Speech was then read.

Debate thereon.

The House fat filent for some time.

Sir Edward Dering.] By this filence, we fit as if we had nothing to do; as if all were fafe, or all desperate. I will not offer my opinion in what is before you, but leave it to wifer men.

Sir Henry Capel.] I defire to know (as to Order) to what points we are to advise, to War, or to Peace? If to War, as to the Modus, I am not very much delighted with the fight of these Treaties, I must consess. But I should be glad if affairs were taken care of, to be upon a sure bottom for our interest abroad, and then there is no need of seeing the Papers here; that we might have nothing to do but to make wholesome Laws. But since these Treaties are before us, I would take all the care at home for the safety of the King and Kingdoms, that it may be seen we have a care of the Government, and a sondness for the King's Person. Let every man lay his hand upon his heart, as he must account to God for his actions; and, therefore, let us go on a clear bottom in our method.

Mr Sec. Williamson.] Now we are upon a Modus, and Capel desires to know what we are to advise upon. I answer, these Treaties you have had communicated, &c. I know not, for my part, the King's mind farther than what my Lord Chancellor has delivered in his Narrative; and it is this, "That notwithstanding the Alliances that are made, the States of Holland are going into a worse course of Peace." This is the state of the case, and the King desires to know from you what to do; whether he shall close with these things, or not. I concur with Gentlemen that think this is one of the weightiest affairs that ever came into this House, and I hope your advice will be for the safety of the King and Kingdom.

Sir Thomas Lee.] This looks as if your advice was asked upon the Leagues before you, or what this last return from Holland has brought you; and we had as good fay nothing as go upon either of them.

Sir Wm Coventry.] According to the clearness and sincerity of my Lord Chancellor's Speech, we shall judge of the lights given us by it. But pardon me, if I fay, when the King speaks to us, or sends us a Message, I look upon it as the advice of others written for him by some inferior penman. What the King says, or signs, is the work of other men. No man can imagine any thing fo low, as that the King should be the penman of other men's Speeches. That part of the King's Messages, or Speeches, in which are gracious expressions of the care he has of his people, is the King's own, and I will govern myfelf by it. The gracious part is the King's only. The glosses, and varnish upon it, are of his penman's doing. The Lord Chancellor began at the 1st of March 1676, and from thence he dated Alliances; as if no care had been taken of Alliances before the Parliament met here; and then we were told, "That it was not our part to meddle with Alliances." 'Tis no harsh thing to say, that before March, the Ministers ought to have taken care of Alliances; and before that time, had the Minifters done their duty, things would not have been at this pass; and now they can tell you in private converse, that the thing is almost too late to be remedied. The Chancellor, in his Speech, has given us a reproach, for not speaking plainly our minds. "The 16th of March," he told us, " the King could not go out of his figure of mediatorship;" but if his Ministers look to the 29th of March, they will find our repeated defires of Alliances, and we promifed aids. That promife, it feems, was only to pay for the parchment on which the -Alliances were drawn, but I hope we shall speak floud enough now to awaken the Ministers out of their sleep. It feems, we fpoke not loud enough then; in April, it feems, we were understood too well, and therefore were fenthome; and then we were told, "That nothing could be done till the mind of the Prince of Orange was known." But I would fain know why his mind was not known fooner. There was no difficulty in that, but the reason, we are told, was, "That the Prince of Qrange was in so great a hurry

hurry upon action, that he could not enter into Treaty." But I would ask the reason, (I do not speak of March, April, or May.) But suppose, an abrupt Question should have been put to the Prince of Orange, of this nature, "Sir, would it do your Highness any harm to have 10 or 12,000 good English foot to affift you?" That Question would not have been fo unreasonable, but that, surely the Pr. of Orange would have invited the messenger to dinner; and, perhaps, he might have taken Charleroy, and prevented the defeat at St Omer's: 10 or 12,000 foot would have done him no hurt, furely. At last, Mr Hyde is employed to the Prince, either to write, fend, or to come over into England himself\*. Many a man was capable of asking him this Question furely, there needed no such extraordinary fending-All this, we must suppose, was in order to Alliances. But vox populi spoke that the Prince had another errand into England. I will not fay, that vox populi is vox Dei, because the Ministersthink not so.—The Prince came hither to love, and, like a lover, did abandon his own interest, to facilitate his fuit. He brought a project of a Peace, when the mark was fet up-And that gave the first light to a separate Peace with France. By conversation with the Prince, the King heard, we were told, how low the States were; which might have been known by any man; and no wonder the Dutch were exhausted by the War in their great Taxes that they imposed upon their people. I have reason to fear that nothing of Alliances was then thought of. I lay this down, that nothing could be done with the States but by Parliament; and that convinces me that nothing was intended; and fo the Message re-coiled from France, and then the Parliament was called. I observe, that from May (which was the time of our Address) there was no desire of Peace from the States, till September; and then they told us, "If you'll not enter into War, help us to a Peace."

<sup>&</sup>quot;Mr Hyde, who had some time made his efforts; but to so little purofficiated as joint Plenipotentiary at pose, that he declared, "That he had
Nimeguen, was sent over to persuade never seen such a sirmness in any
the Prince (if possible) into his Majesty's sentiments; and accordingly

From May was our unlucky Address, for which we were so reprehended; and then the States fought after a Peace, and from May to December at one leap, [we were adjourned.] The Parliament promised aids from time to support Alliances; the Dutch find no hopes of Alliances, and they feek for Peace. Suppose we had met in April, we should have been in Debate upon things, and that summer would have been loft, and the Confederates might have been over-run by the French. I open these things with intent to show, that till the French had rejected the Propositions, we thought not of Alliances; and so the Parliament came to fit in January. Whatever the Chancellor's Speech may infinuate to you, there were no thoughts of Alliances till the Propositions sent to the French King were rejected. Now I will come to that part, whether you will advise the King to accept of the Peace modelled at Nimeguen, or to go into War? This is a strange Question. Has any man here light requisite to give advice upon? If we must declare War, without help of Alliances, we had as good fave our money till we have a War, and rather have the War abroad than at home. Does any man know why the States of Holland draw out of the War? Not that they like the Peace, but from their inability to support so vast a charge with fo little help; and, perhaps, they are jealous of the Prince of Orange's power amongst them. 'Tis now no ' time to lose the Nation on a compliment; 'tis no compliment to the King that he and the Nation be loft. I am forry, that anything that looks like advantage to the Prince of Orange's greatness, should be to hinder our fafety; and if that jealousy of Holland be of the Prince, some means must be thought off to remove that jealousy. If indeed the States cannot carry on the War, on account of their poverty and inability, I am forry we must stretch our purses; but rather than leave them out, we must do it. But till we have farther light, I know not how to advise. I am of opinion that the French King has a weak fide, and if the War be held on a while, that weak fide would be feen. He has, we fee, quitted Sicily; and there's

there's some defect, surely, and he hastens his project of Peace at Nimeguen. By his œconomy of treasure for the War, and his magazines, he defigns his army for winter exploits; fo that one army, by this œconomy, is as good as two. But when this army comes to be divided, in Spain, in Flanders, and Germany, he will quickly show his blind fide. If any Gentleman can show me any Leagues, or Alliances, with the Confederates, to keep them together that we may help them, then 'tis time to give advice upon them. 'Till then, I fee not how we

can advise, &c.

Sir Philip Warwick.] Being unacquainted with any thing of this till this morning, I am not able to fay much to it. It falls fhort, I confess, of what I expected. As I have ever had Mr Coventry in great efteem, fo now, most efpecially for his frankness in this matter. I believe that if ever the Nation was in danger, it is now. I could have wished that this clearness, he speaks of, might have been. If it were possible to redeem time, I would facrifice myfelf, to have come up to this of Alliances, two years fince. I speak with no relation, but to my Prince and Country equally in my eye. And I would address the King to resume the Treaty, and I believe all the Powers in Christendom will stand by us, if we enter into

a War with the King of France.

Mr Sec. Williamjon.] Upon entering into Debate of the matter, Capel opened it well, viz. "Whether upon what is before you, you will advise War, or no War;" and confider what Alliances we have, or may have, and next, what makes the Dutch start from this Alliance. We know, they have frankly offered to come into it, but 'tis at a stop, whether Holland will come in, or no; without whom the King cannot be fafe in the Alliances. This is a mafter-point, and a great fundamental. Most of the Allies derive fuccours from Spain and Holland, and they are as impatient to know what Holland will do, as we are. But as to the reasons of Holland's impotence and jealousies; as for their disability, they are at the fame expence they were before. That being fo, fuccours there's

arc

are expected out of Germany; for Flanders depends upon the fupply from Holland. They had told us farther, besides their impotence, to come in with the Emperor and Spain. How can you expect they should come up to them who have so ill performed? They have promised all things, and done nothing; they and the Emperor have not paid their quota to Germany. They have drawn fo much that the Admiralty of Amsterdam is three millions of floring in arrear, for the Straits ships. These are things, we can fee, they own. But there's another thing more fatal than all this; they are jealous of that, which this House and Nation thought so sovereign a good to us. Of all the ties that make them nearer to us, I may fay that (except Trade) as to Religion and Power, &c. no other Alliance is natural and proper but that. Had this thing been proceeded in fo happily-but that thing of the Prince of Orange, and the defensive Alliance then treated by the Prince, is plainly the matter of jealoufy, that turns that cordial of the Marriage into poison. And the root is the old competition in Holland betwixt France and England, in competition which shall have interests in their Counsels. There is still, as in this man's grandfather's time, all the thing of remonstrators, &c. called Religion. And I am afraid that a jealoufy is revived by France, that the liberty of their unionis in danger by the aspiring of the House of Orange; otherwise there could not appear, in so few days, so absolute a change in affairs, and the defensive Alliance never met with fuch a rub as this. If Holland makes a Peace. at the instance of France, and they have not the molding of it-I pray God that jealoufy has not been fomented elfewhere. That of Guelderland, &c. gave occasion also of jealousy. I have heard fatal glances and touches, that that matter was fomented from hence, tho' certainly it never was done in the least measure. The States fay that the Propositions of France are in some measure tolerable; so that you may try whether your putting them upon a War may procure a better Peace. And you are told by this man (the Ambassador) "that that Alliance

Alliance his Master ever had, and then did preser to the continuation of the War." They have sent now, and stay in impatience of the King's Answer. France tells them they must sign the Peace by a day, or else the French will proceed to the War, &c. and now they are upon their march—A town is now taken, and Liege is one of the frontier towns; and what may not this work in Holland? The suddennest place in the world to take impressions, and that retains them longest? If you'll enter upon the point, it is great; but I believe this that I have told you, is the true cause of their inclination to Peace, and of their going back from Treaties, that they have made. This is a great thing, and only sit for this place.

Mr Vaughan.] It is faid, to be "a great grace, and favour in the King to communicate these Treaties to us;" but all records will tell you it has been usually done. The King, by bad Counsels, has been brought into difficulties, and he calls for advice of the Parliament; and now we desire light to advise him by, and the papers are denied us—Then our advice is desired in a more narrow manner—I think that this advice amounts to this, for the King of France against the King of Spain—When youths have leave to play, they have done their business first; but these have played truant, and brought in their business ill done. When we are dealt plainly with, without deluding us, we are ready, &c. but for this time I would adjourn, till we are in better condition to give advice.

Mr Sacheverell.] By what I see before us to day, the Gentlemen that cry "Adjourn, Adjourn," have great reason for it. It seems, the Ministers are not prepared to give us full information, &c. yet they would go forward though they have that which would prevent it—And, perhaps, we [shall be] called Knaves and Fanatics for our pains; and now when 'twas all our opinion to show the King the state of the Nation, then "'twas like 1641." But now we must not be frightened with "bugbears, Prerogative, and 1641." I am ever for supporting the Government as it is, but the Ministers have stretched Prerogative so far as to lose it. All their Counsels have tended

tended to what we ever would have avoided. these Gentlemen say, but that we have continually been for having the forces recalled out of France? But they stop their eyes; we cannot, but must think they have been for France. The plain truth is, if the Question fingly be, Whether this Peace, or Alliance, we must rest upon, I am one of those that scorn it; for it will ruin both England and Holland. I think, the Ministers are not converted by what we faid, and that they are past any conversion. Now they come to ask us which of the two ill things we would take. Did not you give Money for the defence of the Nation, and lessening the growth of France, when he had but a few towns, that he held wrongfully? And now we ought to confider to take care of the King, fince the prevalent number of the. Ministers of State have taken none. I have seen several shifting of Ministers, one and another, and yet all carry on this principle, that fate, that as foon as they come in they must be so, or nothing; they have brought it to this pass; they have confessed that we are near ruin; they have hazarded all; and if you can make up this bad business for them, you must. They tell us of the poverty; and jealoufy of Holland? I appeal, whether they have not done it to Holland. They fell into a War against Holland with the French, and those forces were continued in France. And now the Chancellor, in his Speech, tells you, "nothing shall be secret, &c." The King tells you in a late Speech, "He will take care. of the Prince of Orange particularly;" and can the States be any thing reasonably but jealous? All I put it to is this: I defire to know how far we are to advise; whether we are barely limited to this League, or the Treaty of Nimeguen; and I would have that point opened, and I would willingly forget what is past, if we may be plainly dealt with in this.

Mr Secretary Williamson.] I am far from being provided to tell you what the King has not given me orden

to do. I have told you all I have order for.

Lord Obrien mis-recited Sacheverell, and was dexterously taken down by Musgrave, to prevent his running into heat.

Mr Garroway.] I am one of those that are as sorry to see this day as any man. Seven years together, I told you things would come to this, unless Holland would do as we did; that is to weigh nothing. But when you were told things manifestly untrue, I think we have no reason to believe those Gentlemen again by word of mouth. Therefore I would have the matter in writing. I dread making the Proposition here, but I would pray those Gentlemen, the Ministers, to tell us what they would be at, and whether they will stand to the Propositions in writing; but I would look no more upon their words, and I would leave them to farther time of consideration. I would put oyl and water into the thing, and for the present adjourn.

The House adjourned without adjourning the Debate.

# Friday, May 3.

Debate on the Treaties resumed.

Mr Sacheverell.] Yesterday we had a great Debate, and I hear nothing of it to-day; it seems as if all things were well, and to our satisfaction. I hear nothing from the Privy Counsellors. I would know what they have farther to inform us.

Mr Secretary Wilhamson.] I wish we could find a way for Holland to come up to us. This afternoon the King has appointed a Conference with those from Holland, with some of the Lords of the Council, and I suppose the thing will be summed up, and some resolution taken.

Mr Sacheverell ] I desire to know whether that Conference be in reference to the Treaty before us? If so, we need not stay for that: I think we are all satisfied what that is.

Mr Secretary Williamson.] That matter will be treated of, and every thing relating to the occasion of the King's calling for your Advice. Mr

Mr Powle.] Yesterday we desired a farther Answer of Lord Feversham's Negotiation in France. I was in hopes of that to-day; but it not being produced, I would know whether those honourable persons have any satis-

faction to give us in that point.

Mr Garroway.] I confess, I am much troubled what to do in this case. If these arguments were pressed upon then, much more now. But to go clearly on, I would not have any mistake, for want of understanding our meaning, to put us backward. Yesterday you rose abruptly; clear yourselves now. I think it necessary to declare something upon what was done yesterday, viz. "That those Leagues, showed you yesterday, are not answerable to your Addresses for lessening the Growth of the Power of the French King."

Mr Vaughan.] 'Tis faid, "we are not to meddle with Peace and War, but as the King communicates it to us." Now we are to give our advice, whether those Leagues communicated to us are for the benefit of the Nation in general. If we have no Answer of Lord Feversham's Negotiation, then we are to go only upon

what is before us.

Sir Robert Carr.] To that of Lord Feversham you have had a full Answer. It was but for Aye, or No,

from the King of France.

Sir John Knight.] I differ from what is moved for the Question. 'Tis not for us now to fall upon such a Question. When Hannibal is at the gates, we should consider what at present is to be done. Here have been Forces raised by Act of Parliament, in order to an actual War with France. The Confederates did depend upon it. Do you intend to have them lost, and Flanders totally lost, this summer? If you go not on, what will you do with this Army you have raised? This Treaty is not indeed pursuant to your advice, but it is seasonable at this time to advise the King, and he now will stand by your advice. It is every man's safety that is now the case. If you intend good to the Church, State, King, and King-Vol. V.

dom, speedily help yourselves. Therefore I humbly pray

you to refolve fomewhat on this bufiness.

Sir Nicholas Carew.] Those Leagues are for Peace, and that Peace, so and so grounded, is not satisfactory to the House. What has caused this jealousy of the Prince of Orange with Holland, and Holland on our Ministers, but those Leagues? All our fears are of our Ministers trucking with France. Our business is to remove those jealousies from foreigners, and to remove our own Ministers, and to desire the King to suffer a Committee

of Lords and Commons to fettle this matter.

Sir Thomas Lee. ] Something fell from Williamson about "meeting Commissioners about treating, &c." And he well observed, "that when you did not speak out, you were not understood." If that be the matter of this Treaty, as you have heard, now is your time to fpeak out. I observe in what a ruinous condition Flanders was, in January and February last, by your miscarriages. It has made you declare War by Act of Parliament, and put you in condition of enmity with France, and you call for all to join with you. It looks as if you must bear the blame, odium, and shame on you; and you to bear the burden of the whole War-You to show that 'tis a War for no man's interest but France! That provokes me to fay, I would have you, by fome way or other, show the King, that War, or Peace, grounded upon what is before you, is destructive to the interest of the Nation.

Mr Secretary Williamson.] How far this is an Alliance to please the House, or if it be a War, I leave it to the House, when it comes to be debated. The meeting this evening with the Ambassadors is to know, solemnly and finally, from Holland, what they will do as to War, &c. who speak, and talk, and act contrary to it—Another part of it, their retracting. If any thing in the world will justify the Ministers of Holland in what they have done, it will be such a Vote as is proposed. They will say, "This is your Alliance in that Treaty," and you will in a Vote plainly tell the King that

that you will not stand by him in it. Then what will be the confequence of the progress of the French King? Holland will not run into the French Peace in any other hands than ours. This is not vain in me, nor an ill-intended meaning. As to the Peace, but two words: that we were not for a Peace, and yet not for suffering France to go on: I say in fact it was not so, but Holland would not come up to you—but there would be a Peace in the belly of the Treaty. They tell you, "that parties in War come not out, but hand in hand, and they will come up to no more, but promife that, if they go out of the War, they will tell you, and will make no ceffation of Arms without you; and if they will make Peace, it shall be on reasonable conditions:" And who shall be judge of reasonable Peace?—Reasonable Peace is reasonable Peace; and do you think that 'tis the Interest of England to close with them on these conditions? The King thought these were not conditions to enter upon; and the impatience of their Country is fuch, together with the French Forces coming upon them, that they will not flay their accepting the Peace for above another Post; and what has brought them to it, was the driving on of this House, which has put these people towards Peace. With what face can they start aside from what they have done already? It seemed to me yesterday to be a tacit resolution, if any possible means and ways could be found, to keep Holland up to us. To remove one jealoufy this morning, I take leave to fay this; if any one thing in the world has done the Prince of Orange prejudice in the minds of the people of Holland, it has been his over-hafte to the War. It is our interest to preserve the interest of the Prince of Orange in Holland, and if any one thing in the world hinders his interest, it is their apprehension that the Prince of Orange would keep up the War to a continuance; and that thing will inevitably throw Holland from you, if you perfift in it.

Sir Charles Wheeler.] Who knows what one summer may do? I say we are too hasty to pass that Vote, X 2 moved.

moved, to preclude the Dutch by these Treaties; and I would not put any diffatisfaction upon these Treaties.

Sir George Downing. I will give my Negative to this Treaty. I like it not at all. No Treaty of War was ever made, but that it might end in Peace. No man is a man-eater, to make War for War's fake. Peace is still propounded in all Treaties of War. As for this Treaty, I think it is very destructive both to Holland and England. Shall all this Alliance be diffolved to get eight pitiful towns \*? This never was, and is not, for the Interest of the Kingdom, and shall never have a penny of my Money to support it. I have been a long time forefeeing the growth of France-But if nothing be done, you must expect they will land upon us, and the War will be in England, Scotland, and Ireland. The King of France, upon pretence of an Edict, has found out a necessity to conquer his own people and laws, and no other but necessity of War is his law. He tells you, that things will not please his people, and yet he oppresses them by carrying on his Arms. I will go farther; by this Treaty eight Towns are to be delivered to the Spaniards, pitiful, inland Towns! And what is left? St Omers, Ghent, Ypres, and Cambray; these are near us; and we shall never be quiet till Dunkirk be out of his hands, in the very mouth of the Thames, a new Algiers fet up in Christendom; the midway betwixt your great rendefvous, Northward and Westward, of all your Navigation! Shall we make Peace for eight pitiful Towns, and we not have Dunkirk? He be hanged upon a tree first! Here is another Article: If France accept this Treaty, and the Spaniard shall withdraw, Holland must not help Spain, &c. and we must compell Spain to accept +. This Treaty will be the basest Ingratitude in the world to the Spaniards from the Hollanders. When I heard this, I thought it very extraordinary. I have

<sup>\*</sup> Charleroy, Aeth, Oudenard, Courtray, Tournay, Conde, Valenciennes,

and St Gbiflain.

† Article V. "The King of England shall engage himself actually to oblige the King of Spain to accept the faid Peace."

told you what I would not do, and more than this I will not do. If they be worse propositions than this, I will spit upon them; and rather fight against Holland, if they will not do it, than with them. If the Dutch will be perfidious, Denmark, England, Spain, and the Empire, are able to tell them, that they shall have no Trade but with France. Their poverty is but a story. I have examined the thing, and I find not one individual wealthy man that has removed his habitation. What condition were they in, when three entire Provinces were in the French hands, and part of Holland, and part of Friezland? They want no Money, only Will; and their Army is maintained in another Prince's Country-Vast Fleets, if we join with them, are needless. Moderate sea-forces will do it; fuch as England and Holland can bear. If the management were prudent, and 'tis not too late to do it—And rather in the Spaniards Country than in our own. Therefore I am for not approving of this Treaty. But I am not for voting against it this day. 'Tis not now pressed upon us to approve it. If it was so, I would vote against it to-day. Let it lie upon the Table, and not give occasion of despair in popular apprehensions. Let this Treaty pass to-day, and let them know that Spain, Sweden, and Denmark are ready to come in upon good terms, and pass no Vote upon it to-day.

Mr Secretary Coventry.] I concur, that the Treaty is not to be accepted, and 'tis no hard matter to bring the French King to reason, if the Consederates will come in; and I concur at the present to put no Vote nor brand upon it. The thing before us is not in our justice to judge it right or wrong; you may have recourse to your condemnation when you please: Our discourses seem no way to approve of it, and this will be an argument to screw the Dutch up to a better Treaty, as in Law the latter abrogates the former; and I would hold them to what is the good of Europe. But all are satisfied, that if it were not a very difficult case, it had never been sent to us. Let us not be rash, and resolve precipitately to pull the French King down, and not know how

how to do it. The case is, we are asked advice by the King; and if you put any Question upon it, let it go in hopes of information to be clear upon our doubts. Now put the Question, Whether the House is possessed with light enough to go upon the matter, and I will give

my Negative.

Mr Vaughan.] Gentlemen that know affairs, may stand justified to themselves, but not we that know not. Our Addresses have been for lessening the Growth of the Power of the French King, and for making Alliances, but these Treaties we have seen are all for Peace: Those abroad will not come up to these Treaties, and I

would fet a brand upon them.

Sir I homas Littleson. I wonder Downing should arraign this Treaty, and yet pass no censure upon it. If we forbear to pass a censure upon it, the Dutch Ambasfador and our Ministers will never come up higher. They will fay, "the House of Commons kept it in their fingers, and fo will we too." If this Treaty ends in Peace, we are left with Peace, and an Army, and then what figure are we in? I would vote therefore, "that this Treaty is not fatisfactory to the House, nor purfuant to our Addresses, &c."

Sir John Ernly. I fay, this League, as bad as it is, is better than none; and the Confederates may thank God for it. For till now a better could not be had. But this may be made better. If this League be not made, the Dutch will fall in to the French, and be free from us. Somewhere they will be, and best for them with the French; and where are we then? If we would improve this Treaty, you put the King upon this, and Holland will fay, "your people will not come up to you, and we must do all as well as we can." I would therefore improve the Alliance, but not throw it away.

Mr Swynfin. The Question offered to you is, "That this League, offensive and defensive, &c. and the Treaty upon it, are not according to your Addresses, &c." By all I have heard yesterday and to-day, the thing may be fixed amongst ourselves. It is apparent that this

League

League is the all in confideration here or any where. That of Lord Feversham you have here, with that of the Dutch, which, you are told, the Dutch will not come up to. I would diftinguish, &c. because 'tis said, "better this than none." But I am considering whether this is that War you gave your Money for, and raifed your Army for; otherwise, if you say nothing now of this Treaty, the Army [may be] kept up as a warranty to keep up that Peace; something of this was discoursed then. In order to giving Money you were told, "what was in print of the Dutch Treaty with France, was not a Treaty." But wherein does it differ? I hope this Army must not be a warranty for this Treaty. Another Question is proposed, viz. "That the matter before you is not fatisfactory." I am not against this Question—But will you let that fall without putting in fome qualification, that the Army is not raised for the purpose of the Peace? It is said, "that the Dutch have fo much encouragement from the King of England, that 'tis a question whether they make their own Peace, or we for them." But when they plainly understand that this is not the War we intended in the Addresses, and gave Aid for, when the Dutch fee that, it feems to me they should not so soon fall in to France with a Peace. When we fay that this War is not according to our end intended, I hope we shall be united, and that is my end in the Question.

Sir Thomas Clarges.] The main drift of the Chancellor is to expose those Treaties to you, &c. The Confederate Ministers tell the King, that they desist from these Treaties, and detest them, and exclaim against them; for when three of the Dutch Provinces were lost, and Spain came to their help, they agreed with the King of Spain and the Emperor never to make a Treaty with France without them. Our Addresses to the King, and his Answers to them, must appear before we can conclude our Advice, and in all things that must lead us into it. In Henry V's time, when he moved the Parliament for Advice, he sent all his Treaties from the

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King of the Romans to them, and I would have Acts not to treat of such things, without Parliament. If we are sincerely dealt with in this matter, we may advise. But one thing is represented to us at one time, another at another time: I would therefore have our memories refreshed, by reading our Addresses in this matter, and

the King's Answers to them.

Mr Garroway.] I was the first mover of a Question, and I did think I had moved it with fincerity. You were told yesterday, " Enter not any Question upon your Books, and to-morrow you shall debate it;" and now, "Do it at your perils;" and thus we have been fooled This League, that we have had communicated, is most pernicious, and here is a standing Army to perpetuity for a caution of this League, and all the ill confequences that attend it. If the Dutch can do us no good, pray let them do us no hurt. They fay they are poor, and that is a reason too why they can do us less hurt. I am not afraid of any thing of this, but I the ill acts that persons have done hinder you from your proceedings, &c. and this League is a justification of all the ill actions they have done thefe feven years, if you fet not a brand upon this League. Therefore I move it.

Mr Secretary Williamson.] If you think what I shall fay is to shroud any man, or myself, I renounce my share of it. If any one of us, or I myself am guilty of any crime in this matter, I humbly present myself here to judgment. As I have thought it my happiness (as none is so high, but there is an established Government that he must be judged by) that those that have done their duty may be justified; so these general resections are things that terrify any man from the King's service. I dare think as much, and say as much, for every man that serves with me, as for my self. I have still laid my claim to Patience and Merit, in bearing so long these things beyond all Patience. I must be plain in vindicating my own innocence, and this is the day. If that be so, go on, and if those crimes alleged be

in generals, put them into particulars. I do in justice demand it for myself. Part of the Government of England is the Prerogative of the Crown, in making Treaties, &c. The King in this calls for your Advice, and you are not to go off from it. It is a mistake to think that the People are obliged to support that Treaty. If that be, all is at end, and your Question is at an end.

Sir Thomas Littleton.] I am far from reflecting on the Ministers, but if we approve of these things, we do of the Authors, and I would know whether William-son will justify himself to be the adviser of the King's

Answer to our Address?

Mr Secretary Williamson.] I am not bound to accuse myself.

Sir Thomas Littleton.] Williamson said, "he could answer for himself, and those who acted with him."

Sir Thomas Meres. I think Williamson has a hard task, to justify the Leagues, and the Contrivers of them. I am forry he is alone, and has but one shoulder to support him. He tells you, "he has had great Patience to hear reflections upon Ministers, &c." and so has this House likewise, upon many occasions. I will find you out the Projectors of these Treaties. Whoever were the Contrivers of the King's Answers to our Addreffes, fo sharp, this House certainly had therein great Patience. Now the King fees they have led him along, shall not we brand those Counsels and Counsellors? (which you will give first) will you let that man give Counsel again? From May to May, we have been from year to year, and still there is the old Counsel, and we have Patience still. We are brought very near to ruin by it, I am fure I move therefore, that feeing half England can never defend England, if a Question be carried by four or five Voices and when we had an unanimous Vote we had not an Answer of our Vote from the King,-Now I would have the Confederates fee they have all the House for them, and we may go on, and by this time twelvemonth do as much good, as from this time twelvemonth we have done ill.

Mr Powle. I I have always found that when the House has had great matters in hand, there has been art used to adjourn the House, that things may flow from the King's Grace and Favour. But it has still been made use of to another end. Was it not so yesterday? The Debate was put off, that balfam might come from some other hand. And now the Debate comes round again, the Chancellor's Speech all palliating the matter-But if you rife without speaking plainly—This is the crifis of the afternoon, and it may be told us to-morrow morning "that the King knew nothing of our minds, that this project has ruined the Confederates." And I must say, with some zeal, that our mafters have been carrying on the blackeft defign that ever was attempted; that they have raised an Army in England, and finely carried on Peace; but that does not hit yet, and if that project of Treaty be carried on to-day, we are bridled and faddled to perpetuity, and in Scotland, and I think, if they carry on this, that we are all undone.

Mr Goring.] I defire a Test from those Gentlemen, on that side of the House, that they have no design of creeping into the Ministers places, when they are out; and if they will give the House security that they will act better, I will then be on their side. Till then, I

Sir Thomas Lee.] I would have that Gentleman explain himself. He speaks of "Gentlemen on this side of the House having a Test, &c." They desire not to come into another man's office. I desire that Goring, who seems to like and know these Counsels so well, will

tell you who were against them.

think the Ministers have done well.

Col. Birch.] I was in hopes that Goring would have faid fomething to have allayed this matter. When Gentlemen, in this nick of time, and this vast business in hand, have such an affront cast upon that side of the House (though I was not on that side) it may be next on this side. Gentlemen must not say (as some did) "No, no," as if they were laughing in a play-house. I would have

the House lay aside all Debates, till they have satis-

faction in this point.

Sir Henry Capel.] I did yesterday take some sort of liberty to think of moderation for our safety. Possibly, no men are more prepared to speak their minds than we are now; but I would not let these words pass, but write them down, and then afterwards proceed upon the m

The words were then afferted, as Goring spoke them before.

Mr Goring thus explained bimself.] I meant by what I said no particular person; and I am sorry if I gave the House offence.

There was some Debate whether his Explanation was fatis-factory.

Sir Thomas Meres recriminating something that Goring had said, the other day, of the Committee of Popery,

Sir John Talbot said.] If we call a Gentleman to account for things said the other day, why may not the King call Members hereafter to account for what they have said here? I will not justify what Goring has said, but I believe his excuse is satisfactory. I am for his withdrawing, but would have a Question for it. I could not bear the missortune to be under the displeasure of the Nation. I think it is a missortune. We must bear with one another, and not be extreme to mark what is done amiss.

Sir Thomas Meres.] When Talbot condemns me for recriminating, and tells you of another thing likewise of this nature that he misliked, it is not orderly. I urged it not at all to the Gentleman's prejudice, but to remind the Speaker and the House of the too great fre-

quency of these things.

Sir Robert Howard.] I hear it said, "'Tis a punishment and disgrace to withdraw." If there be a disputable Election depending, the Gentlemen concerned must withdraw, and no man will say 'tis a punishment. I am on this side of the House, and I myself am in an office. This side is the major part of the House, and, for ought I know, here is a restection on the whole

House

House. The thing was ill done, and Goring tells you, "He has liked all that the Ministers have done," when the Commons of England have not liked it. For the indiscretion he has asked your pardon, and I heartily desire the House would give it him.

Mr Secretary Williamson.] These things are incident to any man, but should all things be taken notice of in

great Debates, business would never go on.

Sir Thomas Lee.] There is more in this than in all the matter of the Debate; but it must be a Precedent for the future. Where the words are once written down, you cannot show me a Precedent in the Journal that a Question has been put for withdrawing; but 'tis done by direction of the Chair. I would not have it a Precedent for suture Parliaments.

Sir George Downing.] So long as a Gentleman will fpeak to it, he is not to withdraw. The Gentleman is well descended, and but young in years and experience; and I desire the thing may go over.

The Speaker.] If it be infifted upon, whether the

House be satisfied, &c. [he must withdraw.]

Sir Thomas Meres.] You state the Question well, and then you go off from it. If the House be satisfied, there is no need then of withdrawing. You cannot let him be here present when the Question is put. He may then vote to it, and it may come to a Question, and therefore he must withdraw.

Sir William Coventry.] I would spend no longer time about this, for we have spent a great deal of time unpleasantly in this matter. The words are stated and agreed, and the next thing is to consider the crime, and 'tis a most natural thing that the Gentleman should not be present at the Debate of this supposition of a crime. If the House be satisfied—sew speak against him, and those sew acquiesce in it. If twenty more desire to be heard before he withdraws, those that speak against him may give occasion of answering, and sew are backward to desend a man present. In an Election, after the matter is tried by Counsel, the party ought to withdraw

of himself: There is no fundamental Order in it, but it usually consists in the modesty of the Gentleman. If it be affirmed, in calculating Arithmetic in a Tax, that two and three do not make five, if any Gentleman will be so obstinate as to contend it, he must have a Question for it. The Question cannot be put whilst the Gentleman is here, but if a Question be put, the Gentleman must withdraw. In Newark Election, Sir Paul Neale was returned Burgess into the Crown-Office, and he was sworn by the Commissioners. There was a nicety arose whether he was a Member or not; he would have spoken for himself in his place, but he was admitted as a Member; but he withdrew of himself\*.

Mr Goring then said.] I am forry I have given the House occasion of this dispute, but since I find that my company is troublesome to the House, I will with-

draw without a Question. And he withdrew.

Sir Thomas Meres.] Alderman Foote said some words in the passing the Militia, Act, which gave offence; he had acknowleged the words, and was called in to his place, and the House admitted his excuse, "that he was sorry he had given occasion of offence, &c."

Sir Christopher Musgrave.] As it was a great offence that Goring has committed, so he has given the House satisfaction by asking their pardon. I think it is satis-

factory, and I would have you pardon him.

Sir Thomas Littleton.] Alderman Foote was judged to have his reprimand on his knees at the Bar; but in this I would not go fo far. This Gentleman (Goring) fat a great while in his place, fmiling and laughing. (Some fay, it is his custom.) One faid, "his words were not fo black as those he reslected on." It is an odd way this of excusing. Theyoung Gentleman is forward and zealous, but I would have no more faid to him, but an admonition in his place to forbear the like for the future.

Mr Powle.] The words that fell from the Gentleman were spoken immediately after what I had said; but I declare, that you may pass it over; and as Garing defires, "there may be a Test against Offices," so I desire there may be a Test against receiving Pensions.

Mr Howe.] I am glad to hear the word "Pensions." We are named to be the greatest rogues and villains, and 'tis said commonly, "we are the greatest in nature, and that we take Money to betray our Country." I would have some Committee to draw up a Test, about persons that receive Pensions.

#### It passed over

Mr Boscawen.] You are to ask Goring no more Questions, but to reprimand him in his place, and no more.

Mr Goring being come to his place, Sir Christopher Musgrave offered to speak. But

Sir Thomas Meres faid, If Musgrave speaks, Goring must withdraw.

The Speaker.] The House has considered your Words, Mr Goring, and, as they are displeased with your Words, so they are pleased with your Submission; and I admonish you to forbear the like for the suture.

The Debate on the Treaties was adjourned to the next day.

## Saturday, May 4.

Debate on the Treaties refumed.

Mr Secretary Williamson.] I told you yesterday "that the matter of the Alliances rested in what the Duich Ambassadors would resolve;" and last night they met with the Lords, &c. and there discoursed. At the first Conference ended the proposition of Nimeguen, that the time might be prolonged. The Lords made answer, "That the King would not hearken to these propositions, nor to a longer time." The Lords (because the thing was of great weight) would put the thing in writing; but to that the Dutch Ambassadors answered plainly, "They had no orders to give any thing in writing, and they would not." This is the Answer to what they asked. Next it was proposed, "What is it that Holland can do towards

towards a War, any thing more or less? And by what means they would be enabled to do any thing?" They answered, "Nettement, clearly, we are not able to speak to this point. With your Questions we shall acquaint our Matters. The Lords then gave them in writing, viz. "What they could do towards a War, and then for the prohibition of trade, & that they would give an account to their Masters of the Alliances proposed." The Ambassadors could not then well excuse themselves from writing their Answer. But as for the Conference this morning, I

have not yet had an account of it.

Col. Birch. The matter is now, what is to be done upon the Debate adjourned yesterday; and from the report of the honourable person of the Conference with the Dutch Ambassadors, I know not what to say. Though I am not the youngest in years here, I am in experience, and therefore I shall begin to speak my mind. The matter and the causes were taken ill to be complicated, but I cannot well fee how to feparate the matter from the causes of it. I rather begin so, because of an accident that happened yesterday—(Goring) I am willing to pass it by, because the person has not sat so long here as most of us; else I believe the words would not have fallen from him. Examine, pray, whether this matter we are upon, is not cut out by the same thread as former things have been. Few Gentlemen, I believe, but think we are out of the way; fo that the most natural Question is, when were we in the way? I answer, it was then when the Triple League was made, and a fum of Money was given for it; and not long after 'twas broken, fo broken as perhaps neither this age nor the former can parallel. This was broken, but whether well or ill done, I leave you to judge. I'll bring this down to what I would fay; what then followed upon this? We fell prefently to a conjunction with the French King. First, at sea, we taught them to fight, and the use of our ports, and to build ships; and fent them our men to affift them; and 'tis no new thing to tell you what the cries of this House were then against

it. Whether this was done amiss, or no, I must leave to you to judge—When this was done, away go the French with running all over before them, and when the French King thought himself sure of us, he went to the bottom, and fet up Popery in all his Protestant conquests: And one of our Articles with him was, "That that of Popery must be fulfilled in all points." If I am out in this, I would be told of it; and as the Text speaks of Sennacherib, God put a book in his nose, and led bim back by the way by which he came\*. These Confederates were more alarmed for their civil interest, than for Religion. They entered into a Confederacy, but fuch a one as needed not to invite England into it. I never yet read but that all the points of our interest were contrary to France. But yet we made ourselves parties; and Forces were fent over to the assistance of France. this is no jesting matter. If this had been only to give France some encouragement against such a great Confederacy, it might have been fomething. But for us to fend conquering Forces, amazes me; and now the King cries to the House, and the House to him. We have had Patience with a witness. The King fent his Proclamation to recall those men out of France, and what did they do? Did they come? No fuch matter. They came not, and, for a reward of their disobedience, those very officers did raife more men in Scotland and Ireland. This being thus over, first, we touched the thing gently; and I will tell you we had a kind of reprimand for it, we fpoke fo mincingly. But when we did fpeak home, there was never fuch a thing faid to the Commons of England; and we were fent home with the Speech, you remember, pinned to our backs. And had the people had no better opinion of us than those that sent us home, we had been fo whipped as we were never in our lives before. The Prince of Orange was then sent for over to be treated with. I think, we are much beholden to the penners of this Speech [the King's] that let us know fo clearly every step that has been made. When they penned the

<sup>\* 2</sup> Kings xix. 28.

project for France, 'twas intended we should see it; which has made a perfect breach almost betwixt the States and us. Now this is over, I will speak my mind, as if I was to answer it at the Great Tribunal. I never yet spoke as if I had a fear that that little I have should be taken away from me, or that I defire to get more. Did not we declare that the Nation could not be fafe. unless we either took the French Fleet, or they gave it us to burn? Can this be upheld under 100,000 men? And can we fit fafe thus? Whatever Peace we have, it will be infinitely worse than a War-Then I pressed it hard to enter into the Confederacy, and they gave us leave to come in, if we would. So that when the House stumbled upon the Pyrenean Treaty, it seems, we were in the dark, and came nearer the matter. A project was fent from France, and now we are in the light-And fee! in the dark we were near the matter. We preffed to fee the League, and the King's Quota, and the King is to fet out 90 Ships, and the Dutch 30. A concert it was indeed, but it was with one string only. The burden lay upon us. Upon these accounts, we have raised arms and money; and noble persons in the Houses took commissions; and we would trust all in their hands. But all this while, who must we fight with? Fears and Jealousies arose in the Dutch from these preparations, & dealings with the Prince of Orange, and I wish from my soul, we have not the worst of it. Now for what must we fight? Against Brandenbourg, because he will not make Peace with the Swede; and Spain, because he will not give up all to the French or the Germans, &c? This very Peace, that little we see of it, is worth millions in behalf of the French King; and rather than I would give one shilling for it, I would give 500 l. against it. Now the Question is concerning this Alliance, offensive and defensive, into which we would have the Dutch enter. When a beggar has got a tone, he can scarce leave it— The Dutch tell us, their poverty is the case—I would never say what we would not do, but what we would do. If, by reason of their poverty, they cannot come in with 60 Vol. V.

Ships, I would take them with 20; and take them upon the old League. I am amazed that we make all this beating and bushing when we might have come into the Confederacy if we would. Whether this new Treaty be a better, or a worse, than that of Nimeguen, I know not; but we were told by him that made the King's Speech, "that we were come into Alliances." I protest I am glad the French King cannot, and will not accept what we proposed to him by Lord Feversham; for should he, the next day we are ruined. Suppose the French King had accepted the propositions, what had been the consequence?—A chain of Alliances broken, and perhaps the wifest Prince in Christendom would not be able to piece it again. But now we have it, I would keep it upon any Terms. After all this I have faid, the Question is, whether this League before you be pursuant to the Addresses of this House? We were told fo, and I, like other good-natured men, believed it; and now we find not a word of it fo. Therefore, I am for voting prefently, "That this League offensive and defensive, &c. is not agreeable to the Addresses of this House, nor the safety of the Nation."

Sir Philip Monckon.] Seconds the Motion.

Sir John Hotham. I like Birch's Motion fo well, and it has been backed with fo good reason, that I move we may vote "That these Leagues are not pursuant to our Addresses, and are not for the good of the Nation." And then I am sure we shall not be obliged to give money to maintain them.

Mr Booth\*.] Yesterday we adjourned, in hopes of some satisfactory account of the Conference with the Ambassadors last night, and I hoped that Lord Feversham

<sup>\*</sup> Second son of Lord Delamere, as he was twice afterwards on King to which title he succeeded (on his James's accession; till in 1685, being eldest brother's death) in 1684. Hatied by his Peers, he was unaniving incurred the Duke of York's mously acquitted. Having had a displeasure, by strenuously promoconsiderable share in the Revoluting the Bill of Exclusion, he was, tion, he was created Earl of Warbefore King Charles's death, com-rington in 1690. He died in 1693, mitted close prisoner to the Tower; and was father to the late Earl.

I will

and Mr Churchill's Answers, &c. might have been imparted to us to-day, and the rather I hoped it, because it was told us, "That whatever we defired should be communicated to us." But feeing this only is before us, I look upon it as a device to bring us into a Vote for that black defign they have been hatching these ten years, and they want nothing but a Vote of this House to accomplish it. I hope we shall take warning by former evils, and not be too hasty in what we do. I cannot understand that arcanum of Prerogative, "That we may not see more, &c." It was told you, "That you must not see them." I do suspect that, because we may not fee them, there is fome pernicious matter in them—And it is fad, that great men are not called to an account, and when the fafety of fome particular men is preferred before the good of the Nation. I have the heart of an Englishman, and courage to declare it. I cannot fay this is for the interest of the Nation. We are told, "It is better to have this Peace than none." I am for a War, if it be but for employing these new-raised men any where. It is strange there should be such haste to raise these men, and now we have nothing but towards Peace; the matter before us is not what advice we are to give the King, but what we shall declare upon these Treaties. We are either to like or disapprove them. No man can have the confidence to fay he likes If we be filent, that feems to give confent; and therefore, as I would declare these Leagues are not agreeable to the Nation, nor the interest of the Kingdom, fo I think I did not ferve the King and Kingdom if I did not.

Mr Secretary Williamson.] I beg leave to think, that is not, and should not, be the Question before you. If the business before you be recommended by the King, 'tis for matter of your Advice, and not matter of Probation, or Reprobation only. I will bring you back, if you please, to that which should be your Question, and I shall speak plain; that this is not your proper Question before you, and a very great differvice to you.

I will not undertake to know more than others know; but I will tell you Holland's impatience to be in any Peace. But yet any one they can get is unfortunate to England, if we are left alone, and stand as we do now, and nothing will put them fooner upon it than that Vote you are moved to. The King has called them "Treaties for the Preservation of the Spanish Netherlands, offensive and defensive," and whether you will fupply the King, or not fupply him, is in your judgment, but I hope the House will not undertake to judge what is good and necessary in Treaties, for the good of England. I confess, the Treaties are not what I could wish, but when this is the only Treaty you can get from Holland, and the best you can ever bring them up to again, though they be not what we wish, yet [they are] in pursuance of what we wish—He that follows at a mile's distance, follows. One Gentleman wishes for "the Triple Alliance," and that is quite on another foot, and another kind. By that Treaty, Holland would have been very ill put to it, and other places; Aids must come to them a great way, and at great expence; but now, whether out of necessity, or humour, Holland will not come up to any War, but what must conduce to a sudden Peace. Now, what is best for you to do? I will considently fay, not that Vote you are going to pass. Their impatience for Peace is fo great, that by all we can hear from any hands, they are near the extravagance of 1672. Something from this House, to prevent that, would be very natural.

Sir Thomas Clarges.] I move that you would state the Question, having been so many times firsted, se-

conded, and thirded.

Sir William Coventry.] The light William son has brought us in is not all we have reason to hope for. But 'tis not so dark, but it has given us some light; 'tis plain, that if they were going out of the Confederacy, they would not make any Proposition; some Towns are lost, and our Army going—That they should be unprepared for Propositions; no man shall make me believe it. It

is plain they are going out of the Confederacy—Though I would not give them any provocation to go out, yet I would take my Measures as if they were. 'Tis my tenderness in this matter. If they are not going out, at this time of the year, I fee no hopes the Dutch will continue. If they go out, thus stands the case: There is a Confederacy of all the German Princes (except the Duke of Bavaria) Spain and Brandenbourg all in Alliance against France. If this Alliance be dissolved, are you fecurer? Can any hand we have in this Peace be a permanent fecurity to us? After the French King has made a War, because of the diminution de sa gloire, with whomfoever withflands his taking his neighbours Countries, the States shall have all their Country again, but he could fwallow his neighbour's Country. So I look upon it that as foon as the Confederacy is diffolved, France has you at his Mercy. Let no man think the Confederacy can be raifed again when once diffolved. It would be the most joyful thing to all the Princes of the Continent, for the King of France to employ his Arms upon an attempt against England. They then may breathe awhile. The danger is fo near us, and fo irrefistible, because we have so few friends. I could wish we had clearer lights in this matter, but yet we had better go into a War, than be swallowed up by a. Therefore I would address the King "to go into a War, till the fafety of the Nation may be better provided for."

Mr Vaughan.] When that was faid, "that we should have all the Treaties before us to advise the King upon," and now that we are told, "we cannot judge them," I cannot reconcile that. We have had Laws repealed by the King's Declaration; and we have made Addresses to the King for stopping the Growth of France, which was confessed inconsistent with our safety; and Forces were fent into France from hence; and yet no body is to blame. We joined with the French Ships to cut our own throats. And as there were no Articles that the French Ships should fight, so I fear there is none to

Y 3

have

have your men again. If you agree to this, you legitimate all the crimes that have been done. From hence, fafety should come out of our doors, but by this Advice proposed ruin will come to the Nation. Dare you not call this Treaty what is proposed? If you do not, you legitimate the League. This is the Question, and

pray put it.

Lord Cavendish.] The honourable person, (Williamson) yesterday made a long discourse in his own vindication, &c. I have a respect for him, but I believe him never the more innocent for that. The project of a Treaty, as it is, goes on dangerously for the liberty of the Nation. As he has justified himself, so I would have others. If he would tell us who penned the King's Answers to our Addresses, and made these Treaties, that would purge him. I would express our sense of this League, and then I hope the Confederates will come readily in to us.

Sir Edward Dering.] To fay, "that these Leagues are in pursuance to our Addresses," that expression would be harsh, and "prejudicial to the good of the Nation and the people" is so too. You may advise the King to enter into an Alliance with the Emperor, and the King of Spain, and so use endeavours to bring the Dutch to a farther Alliance with us, for suppressing the Growth of the French. But for the present, these

are the best Leagues that could be got.

Mr Boscawen.] You are moved "for making Alliances with, &c." and you are told "these are the best that could be got, &c." It seems not so to me. Holland has the greatest reason to hold to the Emperor and the King of Spain, because they assisted her in her distress. It is a strange thing they should be as free in the Treaty with us, who were in effect enemies as to them. They have no assurances from us, but these Treaties, and no man has the considence to say that these Treaties were in pursuance of your Addresses. Therefore I propose the Question moved for.

Mr

Mr Powle.] I lay it down as fundamental, that nothing is more defirable to the King of France than this Treaty. He is willing to part with some Towns, to have a legal Title to the rest, and is willing to go back to rest him, to be able to take another step 'Twas opened yesterday (by Downing) how prejudicial it was to us the parting with Dunkirk. This Treaty is as bad for Holland. They are not at all secured by it from the French King, who restored them little or nothing. Sweden was to have more restored him than the French King had to restore the Spaniard in Flanders; that is, Pomerania. I would be answered temperately, from whence this Article came of "our compelling totis viribus?" In case of a failure on the part of Spain, we must fall on Spain totis viribus. That Article came not out of Holland; out of England, furely. We are, when this Peace is made, Guarantees for it; and always force must be kept on foot. And this will be a colour to keep up a standing Army in England. No man can deny this Peace to be infinitely prejudicial to England. But 'tis faid, " we must not condemn it, for fear of Holland, who defires Peace." I fear Holland is going out of the Alliance, but I justly imagine they are fo, England making their own bargain for some time towards Peace; and if there must be a Peace, they will not let England have the advantage of making it. Say we, "Let us have the making of it." "I will not meddle with you," fay they, "till you are off from the Peace with France by your fecret Negotiations now on foot. When this is done, we will enter into Debates what is fit to be done, that there be no clashing amongst the Confederates." The Council makes the King's Speech, and we ought to show the King how he is abused; and till you show the World, that you will not build on so rotten a foundation, they will not join with you, till you condemn it with diflike.

Mr Waller.] A Question was stated to you for condemnation of this Treaty, and giving the King more salubrious counsel. The Dutch were in this very Project of Treaty with France, &c. and wanted excuses for it; and now we shall furnish them with excuses, a leffon they are willing to learn! You yourselves start from We have thirty Ambassadors and Ministers from crowned heads in London, who observe our actions. I have fat in Parliament a great while; and shall I begin now with finding fault? What will these Ambassadors fay? "The Parliament have fat a week upon these Treaties, and what have they produced? They have found great fault, but have advised nothing." Let us have union. Our Advice drained Holland, when under water, and got them their Towns again. By your Advice of breaking trade with France, their interest in Sicily was loft. That was the refult of your union. I would have the King given affirmative Advice. Any thing rather than this of finding fault.

Mr Garreway.] You have been told "you have many foreign Ministers here." I am glad of it, that they may see how sensible the Commons of England are of this Treaty. I would throw away this project that has been a tool in some mens hands. New bottles for new wine, to be on the old hanks no more. You will be prevented in this, if you prevent not prevention itself. You, by it, unite all here; you encourage all the World; you will make the Confederacy as strong with you, as Holland. Where is your fear, to hanker thus on this Project? I would condemn this Project, and vote it out, and then advise the King, &c. and for that reason I

would vote it out.

Sir George Downing.] As to that Article, in the Project, concerning Sweden having all they lost in Pomerania restored, and that the French shall retain what they have in Sicily, by way of pledge and caution for it, till the Articles are concluded from Sweden, and whatever else may be reasonably proposed for Flanders, there is a place called Fribourg, and all the Dutchy of Lorrain—What do I know, but by this Treaty we are engaged to break with the Emperor? Can an Englishman have a thought to any thing of this kind? This may run us

into a War with Holland, the Emperor, and all the World. As to the Treaty, you have my opinion. But for your present proceeding, what is to be done? Plainly, if the Dutch come up to this Project, I would brand it, before I go out of the House; but they are far from that. But for you to do an act where no immediate necessity obliges you, but where the honour of the King is at stake, and know not yet the result of another Treaty with the Ambassadors—It is always in your power to damn this Treaty when you please. I would let this be as a tie upon the Hollander. I would not go too forward, nor backward, in resolving, &c. What hurt is there in it, to move the King for farther light?

Sir Thomas Littleton.] An appignoration is not reafonable, unless it be a sufficient pledge for what is engaged for extra Belgium. The nature of the thing is such, that if it be agreed that the King of France is in so terrible a posture, the nature of the thing will require keeping up a standing Army, besides the usual caution; and by this Treaty we shall be naturally obliged to it. We need no farther testimony of the thing, for the Treaty itself is felo de se; and I would put the Question pro-

posed.

Mr Papillon.] I would not hold the Dutch in this Treaty one hour longer. You are told that the French have refused it, so the King is disengaged as to them, and likewise to the Dutch. It is for the King's honour now to take new measures; and he is ready for your Advice. Therefore since the House does not like this Treaty, now is your time to do it. And I would, with-

out an hour's delay.

Sir Thomas Clarges.] If you stay till Monday, it will be too late to give your opinion upon this Treaty. A secret Council has been held, which the King knows not of, at Lord St Albans's Chamber; Monsieur Rouvigny, Mr Barillon, and a great Minister of the King's, held it, and Rouvigny is gone into France with the result of that Council. And I believe the King knows nothing of it, because you are not acquainted with it. Rouvigny

may be quickly with the French King: And it may be too late to do any thing on Monday. I would therefore have the Question put, "That the League offensive and defensive with the Dutch, and the Articles relating thereunto, are not pursuant to our Addresses, nor consistent with the good and safety of the Kingdom.

On a division of the House, the previous Question was carried in the affirmative, 166 to 150, and it was then Resolved, That the League offensive and defensive with the States General of the United Provinces, with the Articles relating thereunto, are not pursuant to the Addresses of this House, nor consistent with the good and safety of the Kingdom.

Sir Henry Capel.] I think the Debate to-day has been a concurrent Debate. I will take the liberty therefore to offer a Question, viz. "That the humble Advice of this House be offered to the King, that he will be graciously pleased to enter into the general Confederacy against the French King, and that the King be humbly desired not to make any separate League with France."

Sir Thomas Lee.] I would have it expressed as to a League you would have made, as many of them as you can get to surround Holland; that it may be done seemingly to know what we do is sufficient for saving of Flanders; and we must talk not only of saving, but

recovering it.

Sir Thomas Littleton.] This was a fatal mistake of sending Lord Feversham—Upon recollection, the States were presented with the Project from France; and this is in dimunition of that faith of the Hollanders. But 'tis well they repent of it, though too late. The error was not in making the first, but in the second. It is a common observation, that if a man have any spark of grace lest, he will grow religious in his distress. Let us not tempt other men to break their faith; let us go upon the common sate of the Confederacy; let us be a party, and do justly and honestly, and resume that honest opinion we were of formerly.

Mr Garroway.] I am for the thing, but I find difficulty in the thing. Therefore be careful to word it. Possibly we are a little too hasty to word it, before we know how to word it, if we word it to-night. But because we may not hazard by delay, I would have an Order made, for Monday Morning, "to debate the thing of entering into a League for the good and safety of the

Kingdom, and support of the Confederates."

SirWilliam Coventry.] I would have no delay in this matter. If the Confederates see that we are in earnest. to join with them, &c. and believe what we believe; if so principal a Member of the Confederacy, as Holland is, be going out, and that not supplied by something as confiderable, every man, as fast as he can, will cry quarter from France, and get as good conditions as he can. The French, perhaps, will not be backward to tell the Confederates, "That this League is disliked, but you have put nothing in the place of it, and you expose yourselves to this League; the Parliament of England has voted down what you have done, and advised the King nothing." And I know not what effect this may have in England also. But be pleased to come to this, "That 'tis your advice that the King enter into the Confederacy to suppress the French greatness;" and order a Committee to form an Address to the King to that effect.

[The House adjourned for a quarter of an Hour, and] according to the Debate, a Committee withdrew, and worded this Address, reported by Sir Thomas Meres: "That it is the Opinion of this House, that his Majesty be humbly advised, and desired forthwith to enter into the present Alliances and Confederations with the Emperor, [and the] King of Spain, and [the] States General of the United Provinces, for the vigorous carrying on of the [present] War against the French [King] and for the good and safety of his Majesty's Kingdoms; [and] particularly, that [effectual] endeavours be used for continuing the States General in the present Confederation; and that it be agreed by all the parties confederate to prohibit all trade between their Subjects and Countries, and [France, and all other] the Dominions of the French King: [And] that no Commodities of France, or [any of the] Dominions of the French

King, be imported into their Countries, from any place whatfoever: And also, that all endeavours be used to invite all other Princes and States into the said Confederation: And that no Truce, or Peace, be made with the French King, by his Majesty, or any of the Confederates, without general consent first had therein."

Sir Thomas Clarges.] In this Address, I would not exclude Denmark and Brandenbourg. Restrain it to those in the present Confederacy, without any complication.

Mr Sacheverell.] The Emperor, Spain, and Holland, are the three material parties, that you aim at, doubtless; the rest will come in, if you leave them a latitude. No man but is sensible that Counsels have been guided by persons that wish you not well; therefore I would add to this Address, "That if any of the Ministers, or any other of your Majesty's subjects, shall advise you to the contrary, they may be judged as enemies to your Majesty and People."

Sir Eliab Harvey.] I like the words fo well, that I would have them added to the Question; and I second

the Motion.

Sir Nicholas Carew.] I move, "That if his Majesty has any Advice to the contrary, that you would desire the King to be pleased to let you know who they are, that do so advise him."

Mr Garroway.] The King has fent to you for your Advice, and those you represent must bear the burden of it; some body has been the cause that your Advice has not been taken, and will not you give the Advice, you are moved to? You would not stay this Address till Monday, lest evil Counsel should interpose, and therefore I would add these words moved.

I cannot point at particular persons, (but if I see footsteps, I believe men have been there) that Money must be given; and how shall we hope things will be well managed, if by persons that have already so miscarried? I know not who they are; but you need not scruple

this addition to the Address, moved for, since all we have is at stake. I third the Motion for that addition to the Address; and I will not be tender in this

point.

Sir Thomas Littleton.] I would not have those words in, "all other Princes." How do you know that all the Confederate Princes Agents here have instructions? Many of the Princes concerned have no Ambassadors here at all. And this sis the primary and principal part of your Address. And you put the King upon a quarter of a year's work to fulfill your desires. The three Confederates, Spain, Holland, and the Emperor, have all their Ambassadors here, and in two or three days the King may know their resolution—Else, you hang the thing on a hedge, and leave it loose, and your ends are in no way accomplished.

Sir Thomas Meres.] The reason in short is, that you may have some effect of your Army this summer—The words of "The King of Denmark, and the Duke of Brandenbourg," may be added. Their Ambassadors are here. As for the Allies, they are present in the

Emperor.

Mr Powle.] I can never expect that all we aim at can be done at a time. The three Princes will be a good step for the first. You may else be engaged in a quarrel with Brandenbourg and Denmark. Therefore I cannot agree to those words of "Confederation."

Mr Secretary Williamson.] I desire to ask, whether the Prohibition of Trade with France does answer your expectation, as to the Consumption of the Commodi-

ties? Else you will not answer your ends.

Sir Thomas Lee.] Now you are upon the Prohibition of Trade, I would réad the Address, paragraph by paragraph. Something I would have for the farther assurance of the Dutch. You do this as a Land-mark, I conceive; that they may not have the Trade of the whole World from you. Therefore I would have it general; not only to France but his Allies. The same time

time Holland makes a Peace with France, he is an Ally, and then you are in new trouble.

The Address passed as above.

Sir Thomas Clarges ] I move, that, because great Counsels are in agitation, we may make all the haste that can be, and that some of the Members of the Privy Council present your former Vote to the King with this Address of Advice.

Sir Thomas Lee.] I think it better to present it by the whole House, and 'tis more for your honour to take

that way, and it will have more weight in it.

Sir Thomas Littleton ] If we go to the King in a body, this will not be effected till Tuesday, or Wednes-

day, and many things may intervene.

Mr Powle.] I would not have the Committee draw up the Address; it is needless; for if the Speaker prefent it to the King, he may speak it in the manner of an Address.

Mr Saville.] The King desires your speedy Advice, and in things speedy they cannot have the Ceremony as in other things. Therefore I would have the Privy Council this night present your Address to the King.

Mr Hampden.] If this Address has not all the form and solemnity that things of this nature usually have, you may regularly communicate this Vote to the King, by the Members of the Privy Council, who may acquaint the King, "That we hope that his Majesty will excuse that want of form usual in things of this nature; by reason of the emergency of the affair, and the exigency of time."

Which was ordered accordingly.

## Monday, May 6.

Sir Robert Sawyer, Speaker, excused himself, by Letter, from farther Attendance on that Service, by reason of indisposition, and Mr Edward Seymour, the former Speaker, [having recovered his health] was chosen in his stead, [and approved of by his Majesty.]

Mr Secretary Williamson.] In obedience to the command of the House, the Privy Counsellors attended the King with the Vote and Address, and desired his Majesty's excuse, "That it was not done with that Form and Solemnity usual, and the House humbly begged his pardon, &c." The King commanded me to present the House his Answer to the Address. It being under the King's own hand, I beg leave to present it at the Table:

## "CHARLES R.

His Majesty having been acquainted with the Votes of this House of the fourth instant, was very much surprized, both with the Matter and Form of them. But if his Majesty had had exception to neither, yet his Majesty, having asked the Advice of both Houses, does not think fit to give any Answer to any thing of that nature, till he hath a concurrent Advice of both Houses. Given at the Court at Whitehall the 6th day of May, 1678."

Sir Thomas Meres.] In a matter of this great weight, I know not what to propound. It was laid down as a principal Matter of great hafte; and therefore the Address was not sent his Majesty with the usual solemnity. I know not how to hasten the Lords Advice, and the King knows how to call upon them. This is a new Matter; and since the safety of Christendom depends on the safety of the Nation, I would consider how to hasten the Lords Opinion, &c.

Mr Mallett.] There is no need of any Apology for the Form of the Address, by reason of the haste, &c. I think we gave faithful and cordial Advice from hence,

and in the regular way.

Sir Edmund Jennings.] On Saturday last, it was my Opinion, that it was proper for us to go by the way of the Lords Concurrence, and it is the usual manner of such Addresses, because the King's Speech was directed to both Houses, and the most regular way is joint Advice. And now you have sent your Vote to the King, I know not whether it be proper to draw it again

again, by way of Address, and desire the Lords Concurrence.

Sir Thomas Lee.] You must not wonder if I say, I look upon this poor Kingdom as in a condition you cannot help, and I know not who will. It looks like the rest of the Advices, when you were sent home, and told, "That care should be taken of the Kingdom." It looks as if those persons who made the Peace, would take this occasion to rivet it. I look upon ourselves as in a most miserable condition, and as if the same hands that brought us into this misery would continue us in it.

Sir Nicholas Carew.] I move to have my Lord Chan-

cellor's last Speech reported and answered.

Sir John Hotham.] The Reporter from the Committee of Privileges has several Reports to make, and that of Religion is of main concern. I would have that re-

ported.

Col. Birch. I would be fatisfied whether we have done all that is to be done in this business before us. The King is desirous that the Advice of both Houses may be had, before he makes Answer, Gc. I am a man for plain dealing, and I would get what light I can into this, &c. 'Tis talked that the States have made a feparate Peace with France, but, in truth, their part of it only; but it is hinted to you, that, if their principles agree not, they will not conclude it. Their principal thing that puts them into this Peace is the jealoufy told you on Saturday. As for their Government, they are fond of that, and have apprehensions of the Prince of Orange. Nothing can be so fatal to us as delay in this great affair. As foon as we come to a bare resolution we may expect effect. But if the King will have farther Advice from the Lords, I would have ours put into a better form. I know the worst of it, and there's nothing fo pernicious to this Nation as the French Project, and no War fo bad as this Peace. Therefore it is fit for us to know the bottom of it. And I would advise the King to send over into Holland to let them know know that what jealousies remain, &c. That all the Confederates will be Guarantees for it. Now the Question is, whether the States will continue the War—If so, under what Quota? If 90 Ships, which we cannot believe, and the men, either of these will do your business, and I would have the Lords Concurrence.

Sir Christopher Musgrave.] The necessity of the affair is unusual. To advise the King, in an Address, to try if he can keep Holland in the Confederacy, is well moved, and if they cannot come up to their Quota, to make it up ourselves; and to desire the Concurrence of the

Lords.

Mr Sacheverell.] I cannot agree with those Gentlemen in this Motion, at this instant of time, but when 'tis seasonable, I shall concur with them. We cannot lay a stricter tie upon the Dutch than the Vote on Saturday about Trade with France. Now, I would know whether this Motion is not to undo what was done on Saturday? And the King tells you, "He was surprized, &c." I would know what has surprized the King, before we go any farther? Now, if the King expects the Lords and Commons Concurrence in Advice, I would know how far we concur. Perhaps we differ, so the staying one day for this may prevent entanglement betwixt the Lords and us, which may last twenty days, which staying a little while may prevent.

Sir Thomas Lee.] I would have the Order for the Report read for this day, from the Committee of Privileges.

[It was read accordingly.]

## Tuesday, May 7.

[On the King's Answer to the last Address.]

Sir Nicholas Carew.] The King tells us, "He likes neither the matter nor manner of our Address;" and by sending to the Lords, I know not what issue that can have, when so many are Popish among them, and Vol. V.

of those that contrived this Treaty. I would rather address the King, "That he would send a Messenger into Holland, that we may have truth told us in this Treaty, and that we may have a Committee of Lords and Commons to treat with the Dutch, in order to a League offensive and desensive against the French."

Mr Mallet.] Sending to the Lords is a fortuitous thing, and to beget delay. I would rather do it as is moved.

Sir Edmund Jennings.] This will admit no delay, but now we are not a full House; and I would adjourn

the Debate till to-morrow nine of the clock.

Sir Thomas Meres.] If you will adjourn in discontent, you will do fomething, but I like it not. But when reasoning has done no good, as in the case when violence has been offered to your Members, going on to do fome little business is as good as nothing, and is not for your fervice. Let any man look back feven years; what have the Lords helped us in Advice? And what should we do now? What good had we in fending to them about the Declaration of War with France? It made us loiter five or fix days. The Nation is discontented. Did they help us then? They made a Vote that they themselves did not understand, nor any man else. This matter must arise from hence, as that did. They are a legislative part, indeed, and for Money must be called to give confent, though for form fake. The whole is this I would speak to, to make an Address to the King, and add fomething farther than in the last, and do it with all usual solemnity. For I liked not the manner of the former Address, I told you, when you did it.

Sir Thomas Littleton.] You are upon a thing of great moment; and I desire we may do something. But I expect no great issue from the Lords. A Committee of Lords and Commons that formerly met upon the like occasion, (to treat with Ambassadors) gave much distaste, but never was there so much ground for such a thing before. We have addressed the King, &c. but one point is not clear in that Address. Suppo-

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fing the States of Holland do not join with us; I move particularly to clear that point. To cure the jealousies of Holland, 'tis accepted against, &c. But this is not to meddle with Holland-Though the Dutch do not come in to enter into the present Alliances with the Emperor, &c. that we may do it, and this is the readiest way to bring the Dutch in, if they have any posfibility of retreat from their agreement with France. If we enter into this War, we are in the place of the Dutch, and if we lie down under this Peace, the Dutch will lie under the French King, and this must be the consequence; if we go no farther, the French King may do what he will with us by Land and Sea. If he fend to us not to go into the Indies, nor into the Streights; and those that are most subservient to him will have the best quarter. Now to let this great matter stand still,-I admire that any man should oppose it. If we go on, we have an opportunity to defend ourselves with the Emperor, and Spain; better than when alone by ourselves; for if for the Emperor will no farther concern himself with us. As things are now, with this Treaty with the Emperor we may do much better than alone. It will be pretended that we must have an Army to support this Peace, and 'tis faid, the Militia may do it; but that is as bad as a flanding Army. Every man that commands it is a Bashaw in his Country, and if so, it will end with military force here, as in Scotland, &c. Therefore I move for a Committee to draw an Address to the King, for explaining ourselves, plainly and clearly. If we do not speak out, I say we are for embracing the Yoke, and I would address, &c.

Mr Secretary Williamson. ] You have not spoke out. in your Address, what you will do in case Holland will not come up to us. If you mean to address the King fingly, without the Lords, I object to the manner of it, as well as the matter, if you have not the Lords Concurrence. Now to the matter, to take off the jealousies of Holland; 'tis obvious to the King what those jealousies are, (though I have taken leave to open some of them.) But I am Z 2

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far from owning that those jealousies were fomented from England. 'Tis faid, " they are jealous of us in Flanders too." But from all we know of the exposition, administration, and disposition of their affairs, we have never understood but that they have reckoned and built upon our forces. But "they are jealous of fome things in the Prince of Orange's administration, since he came into the Stadtholdership." Let Gentlemen speak out plain, where the Malady is, whether this or no? That is for answer of the jealousies. (Not but that I wish all jealousies were laid aside.) As to the Dutch lessening their Quota, by reason of their Poverty, in Aids and Supplies, it is known well, that, as far as the King could, he has drawn their Ministers to answer, &c. And they told us " that, they had no Power, &c. till the return of their Messenger from the Hague." For the other part, if Holland start out, and we go into the Alliance, it is as great a point, and was not started on Saturday. But he that foresees does not cause. I know not how Holland has wrought, but that they, as abominable as their Peace is thought, yet pressed the King to accept it. But the King would not accept those conditions, nor meddle with prolongation of time. They did the fame at Bruffels, and the King has done the fame as now. He took it ill from them, that, they being at the brink of ruin, fuch a thing should be offered. The States as strongly represent their reasons why they do it. The deductions of their reason's are very large and peremptory. This refolution they have taken, because the help has been so little from Spain, and England weighs fo little, that the helps have been fo frustrated by Money and Supply of Men fo little (I speak this but as a Member, and will answer no farther,) " that it must be remembered," fay they, " that in the same measure England comes into the League, they must go out." When the resolution came to the Ambaffador from the States, and a prolongation of the time was defired, this was added, "That he should have direction to the fix Allies to apply to, about those proposals

proposals of the French King." In order to make them concur, I was directed to be very warm with the Spanish. Ministers, and to tell them, "We must disband thirty Regiments in the Spanish Towns; you may take them, if you will, but we must disband them"-Now, when the Hollanders fee we will come in, yet in proportion of force they must go out. Facts must be laid together well, before you can come to a refolution, or opinion, in it. But I beg pardon, if I fay that I know nothing that can hinder the King from raising what forces he pleases, if he pays for them himself. My argument is, you are the paymafters; if the occasion of the forces cease, how can any man think you will pay these men that are not employed to the interest you mean they should? When the inconveniences are immediate and certain, if the jealousy of that part of the Army prevail, all folid discourses are at an end. I mean this Address to the King on these three points. 'Tis a thing of too great weight to precipitate Advice upon, before you give your opinion of it. To your Vote of Advice to the King I have concurred as entirely as any man, and I would have you immediately fall into Alliances, and get Holland to come up to it, as highly as 'tis possible. Bring it to this, and I think that if Holland will not come up to what you defire, you will enter into Alliances without them—This may harden Holland, as if France's power must be lessened at another man's cost.

Sir John Hotham.] As I take it, Williamson said, "He thought it absolutely necessary that the King should keep up some forces, &c." and "he did not know but that the King might raise what forces he pleased, so he paid them;" which he afterwards acknowleged the King could not do without us. I would remind that honourable person that the Petition of Right is Law. And I remember this was urged about Black-Heath time, &c.\*. That Petition states it thus: "There shall be no quartering of Soldiers, for continuing them here, any

\* See Vol. III. p. 208.

longer than in their passage to the place where they are to go; else 'tis a grievance to the people." In this I had once this whole Assembly on my side; and I hope I shall have it now. I think we then passed a Vote to this essect, "That any standing force, &c. except the Militia established by Law, is grievous to the People." I would have the Books searched, and you will see who

is in the right.

Mr Vaughan.] When this Army was to be raised, every word was, going into War, and all was War; and now we are addressing the King to enter into a War. In my Lord Chancellor's Speech you are told, "That the States, by reason the Prince of Orange was in a hurry of business, could not make Answer so suddenly, &c. but that was their jealously, that Peace and War were transacted by the Prince of Orange's Ministers, as from himself. There can be no justification to raise any power without War, &c. You cannot by Law so much as ride armed, in terrorem populi. What Army soever is raised, without any visible cause for it, is in terrorem populi.

Mr Mallet.] Jealoufy is as uncertain as the Wind, but there is some reason for Holland's jealoufy of us, for a Parliament was staved off, &r. I believe there is no want of Money, when they play so much at White-

ball.

Sir William Hickman.] I defire that Clause of the Petition of Right may be read. If we are not clear in that, we can be in nothing else.

It was read accordingly; with the Vote relating to the Army at Black Heath.

Sir Thomas Lee.] In my observation, the Gentleman gave you not this trouble to interrupt your Debate, but declared it an opinion too current now. And now you see what it is to give more Money than is necessary. And you were told by Williamson, "That if an Army was raised, they would pay themselves, if you do not?"

But I would not have War abroad for no other purpose than to employ these men. You might have affisted the Confederates, possibly, better by your Purse; and we might have had the benefit of the hands and mouths of these men that are sent away—But our Ministers now go clandestinely to other mens Houses with the French Ministers; and now they are gone, and not yet come back out of France. It was a happy time of day, when you passed those censures on the League that was communicated to you, &c. That sticks with me. that our King is in the condition that the French Ministers have brought the King of Sweden into—That being the condition, you acknowlege the manner of your Address not to be as it ought,  $\mathcal{C}_c$  and you have made an excuse for it. But the matter is pursuant to your other Address-I am surprized, as if some body had fome strange influence on the House to make you in love with those Leagues. You have given Money for a French War, and 'tis penal, if the intent be altered, &c. and now you have Leagues brought you quite contrary. It looks as if they had dependence on your approbation.

The Speaker.] You coming in, as you did, just to the showing us those Leagues, I think it must be our duty to lay before the King the miserable condition the Kingdom will be in, by those Leagues, and Treaty, and to show your disapprobation. You are told, "They must not leave their Confederates, &c. And England must bring in no more Assistance than the Dutch withdraw, and it must be imagined all that England can do." So that every thing seems to me all of a piece. The French frighted England before, and now Holland, and we shall all be ruined together, and

England undone in the first place.

Mr Swynfin.] The Question is now, whether you will make any farther Application to the King, in the way you have gone. I see no encouragement to it, when I look back, and see what success we have had, in what we have already done; our success at home,



as to the League offensive and defensive; and have not had one step of War, but all tending to Peace. You'are clearly informed, that the King can make no other Alliance then what has been showed you, &c. We have fuccess either abroad, or at home, and we know not that the Confederates of the King of Spain have any way put us on to the War. 'Tis strange we should go on in that way still; nay worse, it has had ill success. At home it has put us on raising an Army, and the Country was never in greater Apprehensions—We have an Army raised, and plainly see it goes not against France; and by Votes from this House the Alliances are in no way pursuant to our Addresses. I see no manner of use of this Alliance, but for raising more Money, and continuing the Soldiers. Certainly we ought to have much more before us than we have, before we come to advise farther. Our nearest neighbours, the Dutch, are most likely to help us, and they are going off. What probability of fecurity is there for us in moving for farther proceeding in this matter? The Emperor is engaged with Spain, who is low, and has no Money. The Emperor's Army is fcarce able to show face against the French; and what life has any man here to think that Spain can do any thing? I know not whether the Dutch can help or fecure us at all; I know not whether they are able, or willing. The thing being fo difficult, we are under vast danger. And is there any likelihood by Addresses to mend it? And by pulling a War upon your felf, an immediate danger, to prevent a remote one? As to the recovery of Flanders, the Dutch have left you; but for our defence we are told, here is a League defensive with the Dutch that will defend us. My opinion is to make no farther Address, of this nature, but leave it to the King. The Lords are afked Advice of the King as well as you, and fure they have perused the Leagues, and will consider of them. Therefore fee what they do, before you make any farther Addresses.

Lord

Lord Cavendish.] Our danger is of a standing Army, and French Money. The French King began the War for the glory of his Crown. He has taken some Towns, and for his glory will take all the rest in Flanders. We all know that a French Minister (young Rouvigny) is gone into France, and what he will bring back we know not, and what influence our Ministers may have I know not. The Bishops are inclinable to Peace, and the other Lords follow their leaders. I move that you will appoint a Committee to draw up Reasons for our Address.

Mr Garroway.] I find we are in a great Labyrinth. I hope you will take me right, that we are not so bound up till we have better information of things. You have been left miserably in the dark. All your Addresses for preservation of Flanders have come to nothing, but a project of giving up all to the French, but a few Towns; but I will take things in the best sense, with all tenderness. We can go no farther till we are enlightened. Therefore I would address the King for a farther Answer to our Address. Press the King speedily to answer, and adjourn the House in the mean time, and do no other business.

Mr Sacheverell. ] You have long advised entering into Leagues for the preservation of Flanders, and all comes to nothing. The King is pleafed to prefer the Counfels of others before these of this House. I confess, I liked not the Address on Saturday, but was over-ruled by better Judgments. The King has lived abroad, and we fee a premier Ministre does all, after the fashion there; and a Parliament is of little value. The King calls for your Advice, and then 'tis despised. I would therefore give the King no farther trouble, till the King fees that his interest is to be advised here, and not out of a private Minister's Pocket. I am amazed that the danger is fo great, and that the King will rather take the Advice of a private person, whose interest is inconfiderable. This is one great point that contributes to our ruin. Ministers may flatter the King with the greatness of standing upon his own legs, but that will bring him to ruin, whose happiness I shall ever pray for. If this will not do by our Address, I believe the

King will never hearken to Parliaments again.

Mr Vaughan.] Whose these Ministers are that advise the King, I cannot tell, but rather I am in a dilemma: I would have you name them. And then, if we have no remedy, &c. we have something on our books. I would address the King, &c. and then adjourn till we have an answer.

. Mr Powle. I I think it not convenient, now all the World is in action, for us to put our hands in our pockets, and stand still. We have had several Motions for an Address, &c. but I think it to no purpose to address, &c. Sometimes we have had Negatives to our Addresses, harsh and rough Answers, and those we have had answered have been pursued contrary to the Answers. Now I will only fum up the Ministers proceedings, &c. In January, they got Money from the Parliament, upon a pretence of a War with France, &c. and they raised an Army, &c. and now we lie under this unhappy Peace. I protest before Almighty God, and this Affembly, before whom I would not prevaricate, that there are some persons about the King, who prevent him in what he would do. Can any man fit down here with the King's Answer, the 29th of May last, viz. "I am confident it will appear in no age (when the fword was not drawn) that the Prerogative of making Peace and War hath been fo dangerously invaded, &c?" Is not that to call the House of Commons Rebels and Traytors? For the Pyrenean Treaty-Address, are you not called the vilest of men? And now you are called to advise, you do it, and the King " likes neither the matter nor manner of your Advice." I would address the King to remove those persons from him, who gave him those Advices. If you had done so formerly, perhaps you would have had another Answer now. Till you have an Answer from the King to your Address, I would adjourn, and do nothing. Mr

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Mr Williams.] A description of a person amounts to as much as naming him. You have had him described. I find this in the Courts of Westminster below: "He that makes a faint prosecution makes none." I would not proceed, &c. till we have an Answer to our Address, as has been moved.

Sir Tho. Clarges. I am of opinion with those Gentlemen that spoke last, that 'tis to no purpose to advise the King any farther, till we have affurance that the fruits of our former Addresses are executed. This is strange to me, after the King lays the whole matter before us, and calls for our Advice, and tells us he would follow it; and I thought he would have done it, because he had distrusted the Advices of those who had plunged him into these inconveniences. But what labours were then used, in my Lord Chancellor's Speech, that France was our friend? And a Report must be made to divert, &c. and then a Holiday that Rouvigny may come back out of France, with resolutions, &c. The public print does not fay, as Williamson told you, that the Dutch Ambassador said of the Articles, "that they were aucunement tolerable," but "that the King of England does positively undertake that the King of Sweden shall be restored to what Brandenbourg has taken from him." And this is a figure of Mediation indeed. We are told that Don Emanuel de Lyra had agreed, &c. with the Ambassador of Holland; and the Duke of Villa Hermofa has agreed too. This Williamson has told us; he has forgotten it; and now he tells us they reject the proposal of carrying on the War, &c. In this Treaty they have openly Maestricht given them-But how should it be now that they reproach them for this Treaty, when Spain had so helped them, &c. in their greatest extremity, and now they reject him? I did understand by the Act, &c. that the Militia is in the King, but I never understood that a standing force in the Nation is a legal Militia. An Army in Peace has nothing elfe to do but eat and drink. But this is now more grievous than at other times, because we see an

## Debates in Parliament in 1678.

Army in Scotland devouring all before it, and a book that tells us it is legal; and this truly alarms us, that this Army should be kept up, upon pretences of Guarantee for the Peace, &c. Unless we are cleared as to the Ministers, &c. we can give no Advice at all. fects of all our Addresses have been to heighten what we so addressed against: So, except we go to the root, and remove those Counsellors who intercept the King's grace and favour to his people, and remove those who advised the King's Speech in May last from his Ma-

jesty's Presence and Councils, we do nothing.

Lord Cavendish. We have been so near being ruined by those men, that we ought to do all we can to find them out. Whoever licensed the printed Answer in the Gazette to our Address in May last, and puts wrong impressions on our Government, whoever is guilty of raising the forces in Scotland, &c. he is criminal. Next. let us consider of the Ministers lately meeting the French Ministers, at Lord St Albans's House. If this great Minister was named, I would not stick to advise to have him removed from the King's Council, as contributing to the French King's greatness, and I will not scruple to have them in the Address to be removed.

Sir William Hickman.] Plainly, I do not expect any good Answer of our Address, whilst such are in Power, that have run reprimand upon reprimand, upon a chain,

to all our Addresses, &c.

Sir Gilbert Gerrard. You were told, that a War was concerted; that it was a War with France, and that all the stations were adjusted. And what a pass are we brought to to have these things put upon the Great Council! I have heard of great discouragements put upon the Militia, which is the great strength and fafety of the Monarchy, &c. If this Confederacy be broken, will not the French favour the Dutch in trade before us? And it will tend perfectly to a War at last. We were told, "That we were in actual War, and that what we did was Declaration of War against the French;" and would any man have given his consent to the Poll-Bill, and have have feen these Alliances now produced? I shall conclude with this, "That the King may be desired to take the advice of his Great Council," for we always have had this jealousy in our eye of this Army, and the Peace; and I would examine this, whether the Army was not put upon you, upon the bare pretence of a War with France.

Mr Secretary Williamson. It is moved to address the King, "to remove from his Council those who counselled the Answer to the Address, &c." Whenever that comes to be the Question, I am concerned to speak to it as a Member of the King's Council. I fear no legal Charge against me, or them that serve with me. Nothing can make me fond of these Treaties, &c. When I see that those who represent the Nation are against them, that makes me decline them, and not the fear of my actions. The greatest part of my felicity is in doing, or endeavouring, as I ought to do. I bewail the state of affairs as much as any man, but in all Governments, in feven years retrospection, things have been done, that could not have been wished done; but as for what is moved, &c. whether the time be feafonable for it or no, confider. The King tells you, "He has had the Advice but of one part of his Parliament, but when he has the whole, he will follow it." Still the Parliament is his two Houses, the Great Council, and you have no account of your Address from the King, because 'tis the Advice but of one of his Houses. As to particular crimes of Ministers, to that of the King's printed Speech in the Gazette, it was done by the King's command. As to guilts I am under, I never faid any thing here, but what I thought, and 'twas my opinion for War, in fact fo true that the Dutch Ambaffador came here to treat the Quotas. And I never told you what the fatal effect of your not giving Money would be. I have as great a fense of the condition of foreign affairs as any man, and will go as far as any man to fearch into Miscarriages; but consider the timing of it. For should the main of our Union break here, how will this affect those who have eyes upon you! Judge what such a resolution would operate. For my own part, I stand upon my innocence in the thing; and I take my stell to be safe in my own innocence and your justice,

and they that ferve with me.

Mr Booth.] If this House surprized the King in the Address, we may be excused, that we had not all the lights requisite given us. This Answer, &c. is no result of the King's own judgment, and 'tis not the King that endeavours to ruin the Nation, but some ill people about him. If Counfellors advise the King ill, they may be called to account for it. I cannot but wonder at any man's impudence to dare to advise the King against the fense of this House. Our affairs have gone on profperoully, when persons of estates and birth have managed them, but now they are managed by indigent people, who must build on the ruin of their Country. We went a great way on Saturday; and our Anfwer from the King, &c. Do you think these things will do the work of the French King? Whilft these perfons are near the King, I never expect better. Therefore I defire we may address the King that they may be removed.

Sir Thomas Lee.] The notoriety of the fact speaks itself. The time of addressing the King to remove those who gave him the Advice is the only matter, it seems.

Lord Russel.] I am not surprized at the condition we are in. Every man foresaw it, but they that should have prevented it. When the Confederates were weary of the War, then we must come up to it, but not before. As long as these men, that thus advise the King, are near him, we must never expect better. Therefore I move as before.

Serjeant Gregory.] I have heard, when you was accepted Speaker, that the Debates of this House were commended, for the prudence and gravity of the House were so great, that it was no difficulty to you to take the Chair. But I am amazed now, that we should have



two forts of Counsels, &c. I second the Motion for an Address, &c.

Sir Edmund Jennings.] I am as ready to close with any Motion that is for the honour and fafety of the Nation, as any man here. But of general accufations I never faw good fuccess. As for particulars, if proved, I am as ready to condemn as any man. But this way has been practifed; and 'tis common fame; and it grew stale when Lord Clarendon was impeached, and then you came to a particular charge. Will you lay the faults of others upon those in present power? Our misfortunes bear date from the shutting up the Exchequer, and the Declaration, and breaking the Triple League. There are many near the King, though behind the curtain, that act more than they that are in the affairs. I would have Gentlemen pitch upon persons, and name them that are faulty. These proceedings look too much like 1641; and may be drawn into that consequence; and now we are come to 1642. This was in the first of the nineteen Propositions, and I must come at last to 1648. What is this less than "making no more Addresses to the King?" I defire we may all consider what is most for the honour of the King, this House, and the safety of the Nation.

Sir Gilbert Gerrard.] The highest crime imaginable is to be guilty of the actions of 1648. To endeavour to have a certainty in our Religion, is that 1641? When Popery begins to show face, to suppress it, is that 1641? To affert your properties, is that 1641? I fear there are some about the King that possess him that it is 1641. It looks as if they would bring us to that.

Lord Cavendish. In the proceedings now there is fomething parallel to 1648. The Ministers would cast all the ill things upon the King, and I think that is the nearest resemblance to the actions of the Ministers.

Mr Vaughan, ] Let them begin their date when they please, and I would put Jennings upon this, whether all that advised from that time shall be cleared.

Col. Birch.] I would always have things find out perfons. I have feen anguish in feveral faces this day, and

in several ways; Addresses, and Answers, "That there were never such unless when swords were drawn." There are now twins in the womb struggling which shall come out first. I cannot but remind you of the King's Speech, and the Lord Chancellor's, that, though our Addresses have been for War, the whole has been for Peace with the French King; and that, it seems, has been our point we have driven at with the States General. The Answer to our Address is both to blast the King and the People: And those that advised the King to that Answer to our Address, I hope will be his advisers no more, nor sit in his Councils.

Sir Edward Dering. This is a matter of great importance. Whoever falls under the weight of the difpleasure of this House must be under a great pressure. I know some States and Governments, as that at Venice, where the Gentlemen are not to go to foreign Ministers. But here they may converse with them. As to that spoken of the King's Speech, I cannot distinctly remember the points of it, but possibly some of his Council advised one part of it, and some another, and what part of it would you advise against? They are the same Ministers still, who adviced the King to cast himself upon the Advise of this House. And as for the King's last Answer, of "furprize, &c." a man may be furprized with good, as well as bad news. I move that you may now address the King, as you have done formerly, and has been moved, for a gracious Answer.

Mr Harwood.] Williamson believes, he says, "that he can vindicate and excuse himsels." But 'tis too great a task for him to answer for all the Ministers. And were I in their condition that gave this Advice, they would remove themselves—They would have been out of the envy of the people, and had those great men lest the Court, when the envy of the People was upon them, they might have been saved from the scassold. And in case we make this Address, the King may keep these men from the scassold.

Mr William Harbord. ] You have had several good things faid to you to-day, and, though for the People's fake, I would have these men out of the Miniftry, yet 'tis principally for the King's fake, that the King may eat, bread; for the Revenue is in fo lamentable a condition that the King can scarce eat bread; let the Officers here deny it if they can-So what the King has, he would have with the good will of the People. If I faw hands that must manage the Money that I durst trust, I would give the King Carte blanche, he might ask what he pleased; but when I fee nothing on foot but projects to get Money, I will not trust those hands any more. These men that are enemies to your Votes, who fay, they have no Authority, will you trust Ireland and Scotland with these very men, so obnoxious, in military trust? Papists have double Regiments and Officers, &c. and the best Protestant in the Army but one; and what is the meaning of this, God knows. I will tell you a story: When the King came in, as I was going to Canterbury, being diffressed for Provision, I fell in company with feven or eight men, dreffed like Soldiers: Says one of these blades, "You fool, we brought in the King, and we can put him out again to-night"— Shall we fuffer an Army to make the King and us unfafe in Papists hands, Irish that have had their hands in English blood? "Why, said another, must they command Irish and Scots?" Such things were never heard of unless in a Mahometan Army. Would it be happy for the King to fay, how can I live but by Supply from Parliament? In short, if these Officers be not removed, the King cannot have bread; if he removes not these men.

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Sir Charles Wheeler.] I think it unseasonable to make interruption, now Treaties are on foot. We fear that the Dutch will leave us, and hope that the Spanish Ambassador will stick by us—And they come to know that all our Counsellors are to be removed, from the advising the shutting up the Exchequer to the breach of the Triple League; they would have the present Coun-

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fellors removed, &c. and others put in their stead. "And," say the foreign Ministers, "must we stay till the Parliament has put in a new Council, and limited these Counsels?" As for the twenty Companies in Lord Dumbarton's case, &c. he cannot get his regiment out of France. He shall have that of twenty Companies. Regularly you cannot put this Question "of removing Ministers, &c." For that "of addressing again" was first moved, which properly you must put.

Sir Francis Drake.] The Lords have adjourned the Debate of Alliances, &c. to Saturday next. And we may hope to know something from thence. We are in a declining age, and [have] one foot in the grave—Nothing can remove jealousies of things at home and

abroad, but removing these Counsellors, &c.

Sir Tho. Meres.] I hear it faid, "This may discourage the Army, &c." but I think not, supposing them to be Englishmen and worthy men, and that the Ministers think to enslave them. But this House can never back them with Money, unless they are employed for the good of the Nation, and 'tis for the interest of the Army to be supported by this House.

Sir Thomas Clarges.] All our Addresses are from ourfelves, and not jointly with the Lords; so our Addresses are proper without them, and the Lord Chancellor's Speech says not the contrary; and there are numerous Precedents of Addresses from the House of Commons

alone, without the Lords.

Mr Sollicitor Winnington.] Our case is such, and I do think, by what I find from wise Gentlemen here and without doors, that we are loth to come under the power of France, or French Government. What I have to say is not out of design to save any man, but myself, and my posterity. Lord have mercy upon us! What shall we do to be saved, if Magna Charta be lost? And the King's Prerogative is lost, if the Government is in the least infringed. This Answer of the King's is a temporary Answer; "He expects it from the Lords and Commons." Now consider which of the two Ouestions

Questions is most probable for the safety of the Crown, and the fafety of the People. The case is, if you put it upon the first, you have not lost the advantage of the second. 'Tis no doubt but the King will have information of the arguments used here of the removal of persons from his Councils,  $\mathcal{C}_c$  and the King will have as much impression made upon him of their ill Advice, as if you made an actual Address to him. If his Answer to the Leagues,  $\mathcal{C}_c$ . Should be according to your defires, you may go upon that of the Ministers afterwards; and may fee, by the King's Answer about the Leagues, &c. whether still that Counsel is predominant. By that we may fee how Holland stands, whether he be our Friend or Enemy, and you will rather have a good effect of that than bufy yourselves about a particular man and his family. This is a dangerous Question you put, as to the Ministers. If it be carried in the Negative, you conclude that ill Counsel has been given the King, and the People will fay, the Parliament will not remove those Counsellors; and that Solecism the House will be upon. In a day, or two, or three, you may have fatisfaction that the King will not have them about him, that put a difference betwixt him and his People; and your Address for farther fatisfaction will be as effectual as that of removing the Ministers. If you go upon the first Question, 'tis in order to the fecond, and I would have that first put.

The Speaker.] The first Debate was of an Alliance with the Confederates, notwithstanding the withdrawing of the *Dutch* from it. The next was, Whether an Address shall be made to the King for entering into a War with the *French* King. The next was, for a farther Answer to our last Address, that the House may have some light to ground their Advice upon; and the last was an Address, &c. to remove those Counsellors, who advised the King the Answer to the

Address of May 6, 1678.

Sir John Birkenhead.] This very 7th day of May the Rump Parliament was revived.

Sir Philip Warwick. This is running at the herd of

Privy Counfellors.

Sir Thomas Lee.] I never heard that the matter was brought to the Privy Council. If Warwick knows fo much, I would be informed.

Sir Philip Warwick. That Council they call, in

foreign parts, " the Junto."

The Address was read of May 25, 1677, (which See Val. IV.

p. 374.) and the King's Answer.

Sir Nicholas Carew.] I will not fay any thing in commendation of our Address. Should I do it, I should hurt it. It is rather a prophecy of what is since come to pass. But I would see, if any man will speak in commendation of the Answer to it.

Mr Secretary Wilhamson. You will allow the King to be as tender in point of his Prerogative, as you are of your Liberties. And there is but one sharp point in the King's Speech of May 28. Till the King calls for the Counsel of this House, as to Treaties, and Alliances, &c. 'tis a jealous point to give it; now when you are beyond that, and when on fo great a Crisis as this, every one may speak, as though it was his last. I am forry that any point in the King's Speech should be sharp, but beyond that one expression mentioned, there is not any thing to give offence to the House; and there being but one sharp point, methinks it should not be so fastened upon, and 'tis but in the same degree you are jealous of the King's interpoling between your franchises and liberties, that the Prince is of his Prerogative; and the Act is the King's.—

Lord Cavendish calls him to Order.] What fell from Williamson seemed to reslect on the King himself, and

is not an argument to be used here.

The Speaker.] You are not to take notice of words,

till a Gentleman has done his Speech.

Williamson goes on.] I am unhappy that my expression comes not up to my meaning. If this one thing be an error in the Council, that one sharp thing in the King's Speech, I leave it on the justice of the House, and God direct every man's conscience!

Sir

Sir Thomas Meres.] I would come as calmly to this Vote as I would do to any thing I must answer for. The words in the King's Answer were, " I am confident it will appear in no age (when the Sword was not drawn,) that the Prerogative of making Peace and War hath been fo dangerously invaded;" and "but the empty found of a King." And this Speech of the King's was put into the Gazette, at the latter end, amongst run-away servants, and a lost shock-dog. But this Answer from the King is a Negative to what was our Advice for the good of the Nation. This House thought the Address fit, and there was not a Negative; and we are upon the same foot still. I take nothing of it to myself, but that 'tis a Negative to good Counsel. That Answer of the fixth of May has the same verb used, "furprized;" and I believe the fame penman that drew the one did the other. So when we come to advise, then "to dislike the matter and manner" must furprize us. When we are unanimous in any thing, then the Court never agrees with us, and where is the good of England then? This was then granted, that this House did advise one thing, and the Ministers another. This House and these Ministers cannot stand together. One or the other, either this House or these Ministers, must dissolve. This House has many years advised the King to suppress the growing greatness of France, and the Ministers would not. The interest of the Nation is in this House, and the Ministers are of another interest. We can never live happily without the King's favour, nor he without our Advice; and I will die in this opinion. And I hope that every good man will fee that the Ministers dissolve this Bond. and not this House. If ever we be are of these Ministers, this House will be a glorious House of Commons, and truly for the interest of the Nation. Then England will grow great, which now grows miferable.

Sir Henry Capel.] Something fell from the Ministers that calls me up. That League must be the ruin of

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the Kingdom that puts the King upon a mifunderstanding of this House. Is it not this House of Commons that put the Sword into the King's Hand by the Militia-Act, and restored the Church? This House has given great fums of Money, and I have voted for a Supply for the King. But the Declaration, when it came out, made me stark-mad, and has disordered me ever fince. I will pay the Ministers all respect without doors, at Tables, and Coffee-houses, &c. But within these Walls we may speak our thoughts. When Ministers come first in, we must wink at small things. In Queen Elizabeth's time, there were faults in the Ministers, but still the Government slourished. Let the Government be fafe, and that is the case. I move that you will put the Question for the removal of the Minifters, and I will give my Affirmative. I am indifferent which Question you put first.

The Question then being put, That an Address be presented to his Majesty to remove from his Presence and Councils \* those Counfellors who advised the Answers to the Addresses of this House of the 26th of May, or 31st of January last, or either of them it passed in the Affirmative, 154 to 139.

Then Sir Richard Graham moved, "That the Duke of Lauderdale might be named in the Address, to be removed from his Majesty's Presence and Councils."

Which was seconded by Lord Russel.

Col. Birch.] 'Tis commonly faid that the Duke of Lauderdale has had good luck after our Addresses. He is made an Earl, and grows fat upon the displeasure of the House of Commons (I am sure he is not grown lean.) I would have him removed from the King's Council here, and in Scotland. And let the King do what else he will with him.

Mr Vaughan.] To fee the case stated about the Duke of Lauderdale's actions, &c. and the Scotch Army, would require a great deal of time—Can you in Justice let slip the denial of your Address? And those persons who ad-

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vised the breaking of the Triple League? The Council at White-hall that advised the breaking of that League? Of which Lauderdale was one. I would have him removed.

Sir Thomas Clarges. In the 7th of Henry IV, complaint was made in Parliament of Lord Latimer—and Clifford besieged the King so that his good Subjects could not come at him. They defired the King to have them removed. Lauderdale promoted the beginning of the late troubles in Scotland, whereby above a thousand mens lives have been lost; but he will fay now, that his judgment is better informed. He was then very regular; he heard four Sermons on a Sunday. But his countrymen fay, his manners are altered. His exceffes are now remarkable, and what affurance have we that his principles are not altered? The Lords of the loyal party, that supported the Monarchy, when it was shaken, and fought for the Crown, these are oppressed in Scotland, and cannot be heard here. These Counfellors prevent the King's good, fweet, mild, and moderate disposition. Lauderdale does all he can to put that Nation in Rebellion. There must be a lawful Profecution—If a man will not answer a Bill in Chancery, a Commission of Rebellion goes out against him, but armed men must not be sent to quarter upon him. If they had been faulty in Scotland, he might have taken a legal courfe against them. therefore, "That a Committee be named to draw up an Address on the Heads you have voted, and that you add your defire of the removal of Lauderdale, &c."

Sir John Hotham.] Since I fee Lauderdale pursues to act what he hath formerly advised, I am for removing him. I hear it said, "That Lauderdale is a true Churchman," and I know not what; and yet he is a man of no morality. I wonder the Church is not ashamed of such a Proselyte. Is any man desirous to have these Counsels here? In Scotland, if any man looks but discontented, then kill him, shoot him, eat him up! Will you have him do the same thing here? Are we

the Kingdom that puts the King upon a mifunderstanding of this House. Is it not this House of Commons that put the Sword into the King's Hand by the Militia-Act, and reftored the Church? This House has given great fums of Money, and I have voted for a Supply for the King. But the Declaration, when it came out, made me stark-mad, and has disordered me ever fince. I will pay the Ministers all respect without doors, at Tables, and Coffee-houses, &c. But within these Walls we may speak our thoughts. When Ministers come first in, we must wink at small things. In Queen Elizabeth's time, there were faults in the Ministers, but still the Government sourished. Let the Government be fafe, and that is the cafe. I move that you will put the Question for the removal of the Minifters, and I will give my Affirmative. I am indifferent which Question you put first.

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weary of our Properties? And would you have him act all over again, here? I am against an Adjournment, till this Question be put off our hands for removing Lauderdale. But if the Question of Adjournment must be put, as is moved, I am not for losing the Question, because I am not for an Adjournment. I am a Yorkshireman, (neighbour to Scotland) and there they fear the very looks of Lauderdale, that he should bring his Army with him.

The Question of Adjournment of the Debate being put, it passed in the Negative, 144 to 103.

The Debate proceeded.

Sir John Morton.] Lauderdale has run the Compass round in Religion. His crimes exceed others as much as the bigness of his person; and if you make not this Vote, you catch the gnats, and let go the great fly.

Sir Edward Dering.] 'Tis a justice due to the worst of men to hear them. We are told of several barbarities in Scotland committed by him: I shall say no more, but that they have a Council, in Scotland, of their own, and complaints may be heard there. We never judge a man without hearing him. We never did it before; I never remember it. I will not bring my bad memory in competition with your good memory. For what is passed, the Act of Indemnity has pardoned some; and Lauderdale has been here now two years; and all this has passed in silence. If any man be ready with Articles against him, I am ready for Impeachment against him; and I would have him sent for to answer here, but not condemn him unheard.

Earl of Ancram.] Let us all lay this to our hearts; and I believe there is something of Naboth's Vineyard in the case, &c.

Mr Powle.] I wish we had not forsaken this matter formerly. There are three printed Acts for settling the Militia for Scotland. The first was a general overture of the thing; the second modelled it in Scotland, with

a power to be brought into England, &c. and the third, to give power to the King to fend Orders to the Privy Council, which they must obey, &c. The Duke was present at making the two last Acts, and if these Acts concerned England then, much more now, when they have begun to act hostilities in their own Country. We had an Answer to our Address for removing this Person. formerly, by an unfeafonable Prorogation, and fo the thing was purfued. Every man that has a fervant that is a fool, or false to him, turns him away without any legal tryal. We take notice of the ill consequence to France, our great neighbour, from a standing Army: Much more in Scotland, where they begin in rapine and spoil. The Militia is raised in Scotland, till they come at the pretended rebels, upon the Lands of Duke Hamilton, Lord Athol, and others, whose families fought for the King, which are wasted and spoiled; which has put Scotland into a flame not easily removed. I would therefore address the King as above, &c.

[Refolved, (on a Division, 137 to 92) That an Address be prefented to his Majesty to remove the Duke of Lauderdale from his Presence and Councils; and the Committee was ordered to draw it up.]

Wednesday, May 8. [In the Afternoon.]

Sir Thomas Clarges reports the above Address.
[Debate.]

Mr Dalmahoy.] I rise not to speak for the Duke of Lauderdale, nor his Counsels. But since it does not appear to me, that the Duke has acted contrary to the Law of Scotland, I doubt not but the King will take it into his consideration, and will redress what may be amis—

Sir Thomas Meres.] The Committee have not changed your Vote, but fyllabically have purfued it. I did not rife to interrupt the Gentleman, but what he fays is against Order. The Vote must not be spoken against.

Sir John Hanmer.] It does not become the House of Commons to make so general an Address. To aver the thing, without afferting matter of fact, I think not reasonable.

Sir John Talbot.] We are told, "That this Address may not be spoken against." We have the same Li-

berty, furely, in this, as in a Bill, to throw it out.

The Speaker interrupted bim.] You may object against apart, or the whole—But when a Committee has been appointed to draw a Bill, you may except against the manner and form, but not the matter.

Sir John Talbot goes on.] You are told, "That the Address is farther than you intended." This may concern many persons in Scotland. I will apply myself, as near as I can, to the words, &c. It looks, as if you will give too much approbation, and countenance, to the disorders in Scotland, by not specifying particulars against the Duke. This I say, out of duty to the House, that we may not have a misconstruction without doors. That your meaning may be fully expressed, and that you give not, in the least measure, countenance to these people in the disorders of Scotland, too apt to take encouragement.

Sir John Birkenhead.] In this Address against the Duke, you go not to the King with so much as a formed Accusation. A new fashioned thing of doing men no harm by taking away all they have from them in the World! Let the Roll of Parliament show you one Precedent, that ever such a thing was done from fear of evil Counsel, to banish a man be he ever so innocent. This Address may ruin any man—(If you will not hear me to one point, let me go on to another) To damn a man thus unheard, neither let him speak for

himself, nor any body else for him!

Sir John Ernly.] The House ordered this Address on a double Account—On the first Account, 'tis said, "Will you damn a man after an Act of Oblivion is passed?" On the latter, if he has done any thing since the Act, 'tis involved within your latter Address of the 26th of May.

Mr

Mr Vaughan.] When you make an Address to the King by Order of the House, and the matter is spoken against, 'tis against Order. Eruly said, "he would speak

to form only," and he has spoken to matter.

Sir John Ernly.] This Address must be upon the first, or the latter, of the Duke's Actions. If you call in Question what is before the King, you positively take him off from that which he should stand and fall for before the King. I do not hear the thing distinguished, but complex. I would see where the matter is fixed. Here is no proof of any thing against the Duke, to lead any man's judgment, but only general Allegations, to take away a man from the King's Presence and Councils. I would have particular matter assigned before I give my judgment.

Sir Thomas Meres.] 'Under favour, he speaks against what you have voted. He may change every word of the Address but your Vote. All he says was answered, in every part, yesterday. And should I an-

fwer him now, I should be as irregular as he.

Sir Charles Wheeler. I speak against the general words. of "pernicious and unwarrantable actions, &c." For what was done in Scotland was legal. The words point to Scotland, where Conventicles were in as good Order, and Array, as any Troops you have in England. If we are diverted there, all we can do here will be to no purpose. The King may raise an Army, if he fees armed men against him; and if they come with armed horse and foot, the King may raise an Army against them. The Lords heard nothing against the Earl of Clarendon, and without our affigning a cause would not imprison him. They told us, "Bring but one Article, and we will commit him, if the matter be special." These against the Duke are in general terms; every one of the King's Council are under your Difpleasure, by this Address, and that is no small matter.

Mr Vaughan.] If you will go upon that Message with your proofs, all great offenders will be safe. Com-

mon fame from the House of Commons is not like rumour in the Streets, or common Accusation.

The Address was read, Paragraph by Paragraph \* " Pernicious Actions, and Counsels, &c.

Sir Thomas Higgins.] I would know where these "pernicious Counsels and Actions," were committed; the time and place, as is in all indictments. If this Address be, no man can be safe.

Sir Richard Temple.] In the former Addresses, you alleged matter of fact; and, in this, pray put in no generals. What Answer can you expect from the King? In these cases, you always assign particular causes, or not such generals, that the King cannot know our meaning.

Sir Thomas Meres. You went up with general words before. In the fecond Address you had particulars. All these particular matters were in the Debate, last night. A Lord, who spoke in this behalf, said, "There was Impeachment to the Lords, and Impeachment to the King." You give thus far a judgment, that is fit to bring this Lord to a Tryal. You have three or four good Authorities for it, in this King's time, and feveral in the former. You thought it reasonable, two or three years ago, upon matter proved at the Bar; and three Members proofs are enough for you, as a Grand Jury, to accuse on. "But these matters," it is said, "are pardoned by the Act of Oblivion." The Answer was then; "You do no more than fay, favour shall not be shown this man. You defire no punishment, and you do but fay, you are of the fame mind you were formerly." But 'tis faid, "we must address particulars against him." I fay Common fame is sufficient to impeach a great man to the King, or the Lords. You did impeach Lord Clarendon upon Common fame, but no Treason was proved here. They would not name the Author of the information, the Baron Infola. "No, but you would not go fo far; only you had inducement to

This Address against the Duke of Lauderdale does not appear in the Journals, as the matter of it was afterwards added to the other Address, which see p. 368.

it." But fay the Lords, "you must specify particular matter." And you would not, and Clarendon ran away. The man to give Evidence was not produced here then. Thus you have done in Lauderdale's case formerly, and the Duke of Buckingham's before, and you may do so still.

The Speaker.] Common fame no particular man undertakes to prove, but he had inducement, &c. to believe it. And you defired that Lord Clarendon should be sequestered from his place in Parliament, and be committed to custody. That was the exception the Lords took against the charge. Then Lord Vaughan brought into the House special matter, &c\*. But as to the Address against the Duke of Lauderdale, in the former Session, you are in Law, by the Prorogation, another Parliament, and not bound up by that.

Sir Thomas Meres.] As to what you faid last, about the former Addresses, you did make use of the proofs

you had the Seffion before.

Sir Charles Wheeler.] Lord Vaughan went up to the Clerk's Table, and wrote the Article of special matter against the Earl of Clarendon, and did undertake the proof of it, and mended his paper at the Clerk's Table. If we may speak to add words to the Paragraph, if you say "an Army was raised by Duke Lauderdale, in contempt of the Law, to suppress the fanatics," will you not have that a cause of taking up Arms? Pray express it.

Sir Thomas Lee.] The Discourse of Lord Clarendon is foreign to this matter. In the case of the Duke of Buckingham, you addressed the King as to manners and ill life, and general dislike in the People, to have him removed. Those that like the Duke of Lauderdale's Actions, will be for the Question; those that do not, will be against him; therefore pray put the Question.

Mr Williams.] Some Gentlemen say "the Address is not particular;" your Vote is not particular, and

therefore your Address is not. The Committee was

bound up by the Vote.

Serjeant Streete.] No man ought to lie under general Accusations. Here are no particulars. I cannot tell whose case it may be next. I would have the Accusation certain, and let your Justice fall where it will, 'tis all one to me.

Sir John Knight.] When the Kingdom is in as great Danger, as fince the Conquest, 'tis high time to advise the King to preserve the Kingdom, by removing such Counsellors. You do not deprive Lauderdale of honour or estate; you only desire to remove this man, when the

fafety of the Kingdom is at stake.

Col. Titus.] I think I am fooner to believe the Paper and the Address, than a representation by any Member. Here is an Accusation against this Lord of several unwarrantable Actions. If there be no such thing as in the Paper, then all this is to no purpose. It is said, by some Gentlemen, "that as to Scotland matters, there is no such thing in the Paper;" and must I believe the Paper, or those Gentlemen? Put the Question.

Sir Christopher Musgrave.] The Duke of Buckingham defired leave to be heard here, and you gave it him. That was a material Circumstance. I would be more particular against Lauderdale, to be able to give Judgment upon him. I would prevent coming to particulars a second time, if the King should call for them. To prevent the King trouble, I desire that particular

Sir Philip Warwick.] I am no advocate for Lauder-dale, but form of Accusation must be preserved in every State. I have no other aim in what I say, but that you understanding him to be of the King's Council, &c. Shall the King join with you in punishment of a man, when

you tell him not what his Accufation is?

causes may be affigned.

The first Paragraph was rejected by the House, on a Division, 152 to 151.

[On the fecond Paragraph.]

Sir Thomas Meres.] I speak for the honour of the House, not to vote a thing one day, and unvote it the

next. But as the Clerk has read the Address, so have I your Vote. Your Vote cannot be unvoted. part, as it remains, is incoherent. When a thing is brought to this, you must re-commit it. So as it stands now, you cannot pass it. And you will not stay to recommit it; therefore I would adjourn.

Sir Nicholas Carew.] I am for the honour of the House, to make the Address sense. Therefore I would

re-commit it.

The Speaker. You have had a Report from the Committee, and paffed a Vote. The Committee have drawn the Address. One Paragraph thereof you have difagreed to. If you agree to the other, you order the Committee to draw up the Address accordingly.

Sir Thomas Meres. Suppose it be not done, and recommitment be carried in the Negative: Then the

Amendment must be done here.

Sir Thomas Littleton. I take this to be the Order of the House. (Ilike not *Puckering*'s expression of "cock-sure.") When Bills come from the Committee, and when the first Amendment upon that Bill, and first Alteration, is made, where it makes the Bill inconfiftent, or nonfense, you cannot mend it at the Table. The constant Order of the House is, before it be gone through, to re-commit it, if inconfistent.

The Speaker.] There is great difference between an Address and a Bill. A Bill is to be read three

times.

The Address was re-committed.

[Adjourned to]

## Friday, May 10.

Mr Powle reports an Address agreed upon by the Committee, which is as follows.

"We your Majesty's most humble and loyal Subjects, the Commons in this present Parliament assembled, do, in all duty and thankfulness, acknowlege your Majesty's great Grace and Favour, in demanding our Advice upon the State of your Majesty's

jesty's Affairs in this present juncture, wherein your Majesty's honour and the safety of the Kingdom is so nearly concerned: According to which command of your Majesty, we did immediately enter into consideration of what was imparted to us by your Majesty's Order; and after serious examination and weighing of the matter, we did resolve upon an Advice, which, because of the urgency of affairs, and the expedition they required, we did present in that form that was not usual in a matter of so great importance, and which we then directed our Committee \* to excuse to your Majesty, upon that consideration."

"And because we apprehended that the dangers were so imminent, that the delay of the least time might be of great prejudice to your Majesty's service, and the safety of the Kingdom, after so much time already lost, we thought it necessary to apply immediately to your Majesty by ourselves; which, in matters of this nature, is wholly in the choice of this House, and hath been frequently practised by us. And because these occasions are so pressing upon your Majesty, and the whole Kingdom [so] deeply sensible thereof, we most humbly beseech your Majesty to communicate to us the resolutions your Majesty has taken upon our said Advice, that thereby these immi-

nent dangers may be timely prevented.

44 And whereas the Commons conceive, [that] the present inconveniences and dangers, under which the Kingdom now lies, might have been either totally, or in a great measure, prevented, if your Majesty had accepted of that Advice, which, in all humility and faithfulness, we presented to your Majesty on the 26th of May last, [and] which we re-iterated to your Majesty on the 31st of fanuary ensuing; the refusing of which Advice, and dismissing of the Parliament in May last, was the occasion of those ill consequences, which have since succeeded both at home and abroad; all which hath arisen from those mifrepresentations of our proceedings, which have been suggested to your Majesty, by some particular persons, in a clandestine way, without the Participation and Advice (as we conceive) of the Council-board; as though we had invaded your Majesty's Prerogative of making Peace and War; whereas we did only offer our humble Advice in matters wherein the fafety of the Kingdom was concerned; which is a right was never yet questioned in the times of your royal predecessors, and without which your Majesty can never be safe. Upon which grounds your Majesty was induced to give us such Answers to those two

<sup>.</sup> Thefe Words are left out in the Journal.

Addresses, rejecting our Advice, as thereby your Majesty's good Subjects have been infinitely discouraged, and the state of your Majesty's affairs reduced to a most deplorable condition: We do therefore most humbly defire, that, for the good and safety of this Kingdom, and the satisfaction of your Subjects, your Majesty would be graciously pleased to remove those Counsellors, who advised the Answers to our Addresses of the 26th of May,

and the 31st of January [last,] or either of them.

"And we do farther most humbly desire your Majesty favourably to accept this our humble Petition and Address, as proceeding from Hearts entirely devoted to your Majesty's Service; and that as we have never yet failed of giving testimonies of our Affection and Loyalty to your Majesty's Person, and Government, so your Majesty may rest confidently assured [that] we shall never be wanting to support your Majesty's greatness and interest, whilst your Majesty relies upon our Counsels; which can have no other end than what sincerely tends thereunto, notwithstanding any sinister or self-interested endeavours to make impressions on your Majesty to the contrary."

### [Debate.]

Sir John Hanmer.] A Committee may often go beyond their instructions. This was not committed, "that when the King desires the Advice of Parliament, he should have it of one." 'Tis of both Houses, and not one alone. I would not have the Committee, though men of great parts, think that the House will always agree with them. I would have the Address recommitted, they having no Authority to do what they have done.

Mr Powle.] As Committees may exceed the Authority given them by the House; so may Gentlemen find fault also without cause, and exceed that way. The thing was committed, with these instructions, upon the Debate, and the Committee have proceeded accordingly.

The Order to the Committee, and the Votes were read, and the Address, Paragraph by Paragraph.

Sir John Ernly.] You have given Advice upon these very affairs already; and if you put the King upon Vol. V.

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this, I know not how the King can give an Answer entire. There may be many. There may be one for one part, and another for another, and the King may take what he thinks best. I hope you will put nothing upon the King to tell you what's this man's Advice, and what's that. If the King could and would remember who gave him Advice, and put them out, who must be put in? God must give the Success, when all is done, whoever advises. In this conjuncture, you are to consider the present State of the Nation. The King has showed you Alliances, and in them you are to consider whether Peace, or War. I hope Gentlemen will flay to fee what Advice the King will go upon, on what is before him, from the proffers of feveral Ambassadors. But for us to enter upon such a tender point as this, I know not what the consequence may

Sir Thomas Lee.] Whether was this Counsel given the King, corruptly or ignorantly? Ernly speaks to the last part of the Paragraph first. The first relates only to your Advice; therefore I desire that Gentlemens fears, or zeal, may not so transport them, as to speak to the last part first.

Sir Charles Wheeler.] Ernly spoke not against the Paragraph, nor your Order, but that the time was not proper for it. Therefore to remove one great difficulty, its orderly to move to fall upon matters of greater

weight, and to lay this afide now.

Mr Garroway.] It is a hard thing to offer any thing upon the notions spoken of. I am ashamed to mention the Arguments spoken in January, "That we could not stay a moment; Alliances were ready for the French War." And now we must stay to postpone your request to the King to enter into Alliances, when the Money is given for a War. Would any Argument ever have induced us to give Money, but for a War with France? We gave that Money to prepare for that War, and now if there be no need of Money to carry it on, what do we here? For here is no face of War.

If these Gentlemen have no sears, let them give you a word of comfort, and tell you, I had rather die of a Fever, than linger on in a Consumption. What mean you to do? Only to sit, and be at a gaze, now France is going on with the War? I would put the Question

to agree with the Committee.

Mr Secretary Williamson. If this business be a proper means for the War, I am far from gainfaying it. Gentlemen have told you, "This is going out of the way, and that time is not to be lost before it be too late"-And pray God, it be not very late! I take it, the point now spoken to is not hastening the War, and Gentlemen do doubt how much this may hinder your bufiness. Possibly the affairs of State may be better in other hands. But the Question is, whether this difference may not hasten Holland to a Peace. If they go out of the League, how far will you come on?-And that was offered to you; but 'tis your Order to have the Address, &c. As to the part now read, Gentlemen doubt how far your Advice single may be done. If the King calls his Parliament together to advise, it must be the Advice of both Houses, his Great Council. I know not how clear you are as to that, to my fense. Pray be clear in it.

Mr Vaughan.] I agree with Williamson, to go on with any matter to promote the War; and I would do so too, by removing those who have obstructed it all this while. As for what he speaks of "the Advice of both Houses;" 3 Edward III, the King demanded the Advice of Parliament, in a War against the French. The Bishops gave Advice by themselves; the Lords by themselves; and the Commons by themselves. And generally through all the course of Edward III's time,

the Commons gave Advice alone.

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Sir John Ernly.] I think, in that Precedent, the Commons refused to give their Advice, and desired the King to take Advice of the Lords.

Mr Vaughan.] The King demanded the Advice of the Commons; either the French should deliver him Bb 2 Mayne,

Mayne, or make War with him; and so, I affirm, the Record is.

Sir William Coventry. I would not now speak, but that the honour and right of the House is highly concerned. I wonder Gentlemen will not have the House justified, or excused, in what they have done already. Suppose we have been reprehended, in the King's Anfwer to our Address, for going alone to him with our Advice, without the Lords, because the honourable Gentleman (Williamson) seems to argue that way. Now you have done it, you must either justify or excuse it. Suppose, in this matter, you shall be of one mind, and the Lords of another; they for Peace, and you for War, or the contrary; shall the King have no Advice at all? It may be faid, "The King had better have no Advice than different." I answer, if there be any flip, 'tis supplied by your Reasons. This so much concerns the rights and liberties of this House, that I fland up to show my diffent to this new doctrine.

Mr Williams. You may fend the King your Advice. and ought to do it alone, without the Lords, in this case. In 17 Edward III, in Cotton's Records, fol. 37, the Lords by themselves, and the Commons, by themfelves, gave the King Advice. The Record runs thus: "The Chancellor, by the King's commandment, required the Lords and Commons to provide against the manifold Oppressions whereof he heard, so as justice might be executed to every Subject." The Commons made Answer thereunto, "That the best way was, that approved Justices should be chosen in this Parliament for every County, and that upon their oath, in the fame, to execute all laws, and Commissions to be made accordingly." There is another Precedent of the Commons advising alone, wherein they were a little backward: The King had undertaken a War with France. by the confent of Lords and Commons, and would be advised how the Peace might be kept. On these two things the King willed the Commons to confult together, and that, within four days, they should give Answer

Answer to the King and his Council, what they think therein. The fourth day the Commons declare, "They are not able to counsel any thing touching the point of the War, whereof they desire, in that behalf, to be excused, and that the King will thereof advise with his Nobles, and Council, and what shall be so amongst them determined, they, the Commons, will assent unto, confirm, and establish." In Henry VII's time, (as 'tis in Lord Bacon's History,) the Commons alone were advised with about a War with France, and they alone advised him to enter into a War.

Sir John Cotton.] In that book of my Grandfather's, [Cotton's Records] there are great mistakes; but that the

book was not his, is a great miftake too.

Sir Thomas Meres.] As well to do right to Sir Thomas Cotton, as to this House, it is authentic, when licensed by the Judges of the realm. In things as great as this, I conceive that the King has taken Advice of the Commons. I take upon myself to say that, in two Declarations, the Commons gave the King Advice feverally. As to the first of them (about Relaxation) here was a long Debate (though for their commendation here was a very happy and laudable observation of Order.) They would not proceed upon it, because it seemed to encourage Presbytery, and advised it not either legislatively, or otherwise. As to the second (the Declaration) the House thought it gave too much countenance to Popery. Both these were separately by this House. In the last Address you were very hafty, and so omitted that solemnity that was requifite, and you asked the King's excuse. And now you are reducing that matter into form; but who knows but that this House may go by way of the Lords, when the form of the Address is agreed to? In this Address the first Paragraph is read, and why was the Report called for now? The Address expresses such duty and thanks to a Prince as becomes us, when we are called to confult of public Affairs. I would know the exceptions against it. The first Paragraph is over. Bb 3

You may do what you will with the rest. I am sure this is a very worthy Paragraph, and I would put

it to the Question.

Serjeant Streete.] I doubt not but you may go to the King alone, with the Address. In the King's Speech, about Relaxation for Dissenters, you went to the King alone. Soon after you went again, in February; and you gave your Advice to the King not to give Relaxations. The Records mentioned have mistakes in them, I having compared them with the transcripts I have at home. I would have the Address lie upon the table a day or two; to-morrow the Lords consider of the King's Speech, and if they come to you for Advice, I know not else how you can extricate yourselves out of that difficulty. And the King, in the interim, will be active to your satisfaction. And I would suspend this matter till Monday.

Sir Thomas Lee.] I would have you put the Question now. If you are resolved not to proceed, I am contented; but I think Gentlemen had their eye upon the

Address to prevent a general Peace.

Sir William Coventry.] Perhaps the thing may be fostened, by altering the penning; and I would have

the Paragraph read again.

Sir George Downing.] I would not have you proceed in this Address for the present—His Arguments were against the whole matter of the Address, and so he was taken down to Order.

Col. Birch.] I would go on with the Address, for if not now, never. This House has always been steady to one point, the Confederacy. Could you be brought to vote one thing one day, and another, another; that once said, there will be no more trust in you, by the people, than in other men that do so.

Mr Powle.] I think this the most proper time for this Address, because 'tis apprehended there is a general Peace working, and because that is cross to the intention of this House: Therefore I would go on

with this.

Mr Waller. ] I can find no fault with this Address : tis penned according to your Vote. The Objection made to it is, "That you go to the King without the Lords, he having asked both your Advices." And a Gentleman answered, "Possibly when you have passed the Address, that might be too." But that will not lie at our doors, having addressed to this matter already. Some fay, " the Lords have the matter in confideration." There are Precedents that we have gone to the King without the Lords. But that comes not to the present Question. The Record does not say (I think) that the Commons did go to the King a fecond time. In Rome, there was a Lex Æraria—In the Palatinate War, the Lords and we went all together. We here draw two ways, but by reason of that we strive for Victory; and perhaps may carry it by a Voice or two. But in fo great a thing as this-In Spain, fometimes it went as the Queen-Mother would have it, fometimes as Don John-In Holland, fometimes there is a Stadtholder, and fometimes none. We fee the inconvenience of this contest abroad. Shall we not fee it at home? Let us carry things therefore with a whole Vote. The way to union is, to prefer public Wisdom before private. Here is matter of War and Peace before you. But I do not know any man to be criminal that gives contrary Advice to ours. In one Parliament we gave one Advice, and the Council another. Whether we were culpable, or the Council, I know not. Like a Tortoise that will bear a Cart on its shell, so is the Government.

Col. Titus.] The Question is, whether we shall proceed now, in this matter. I cannot but extremely commend the ingenuity of a person on this side the way (Downing) who said, "he was, and ever will be, against Privy Counsellors, who advise contrary to the Opinion of this House." He is a man of honour, and will keep his word—And now I am for this Address, because it is for the honour of this House. If things may eternally be revoked, and be never at an end,

who can have reliance on your Counsels, when numbers prevail with you to change? There was a Debate in the Senate of Rome, about a Governor's ill management of a Province. An honest Senator opposed the injustice of the Governor; and the next day they would question the thing again. Says he, "Better a particular Province suffer, than the whole Senate of Rome suffer in honour." How should men rest satisfied in what we do, when we are not satisfied ourselves? If in giving of Money, one proposes raising it by Land-Tax, another by Excise, and another by a Poll, yet 'tis in order for raising the Money you have voted. Is not this disingenuity, to be for the thing, and not for the means? Therefore I would put the Question, Whether we shall proceed now in the Address.

[The Question was put accordingly, and passed in the Affirmative, 176 to 174.]

On the next Paragraph.

Mr Secretary Williamson. I cannot agree in what it alleges, "that the King, in not taking your Advice, in the last Address, was the cause of the ill consequences that followed." I think that relates to the Alliances. as not fuch as you intended and meant, of which I shall fay fomething, that you have not yet been troubled with. May Advice was for a League, offensive and defensive, with the States, &c. The King has fo done, I take it; and to the preservation of Flanders, as is clear by the Treaty before you. As to some circumstances, perhaps it is not fuch, but 'tis of that fort of Treaty that you advised the King to enter into; though 'tis not to that degree you can wish, yet that it was not fully, was not the King's fault. 'Tis for Peace, and therefore not fuch as you advise. But the nature of it is not fuch a one as you would destroy, because it carries a Peace with it. When considered, 'tis as much, and as large conditions as the Allies would come into; and then 'tis as much as you advised. There have been several effential non-performances, so that the King

King, on this fide, could enter into no other Treaty. The Treaty of the Prince of Orange here was the debauching, separating, alienating Holland from us to France in a Peace—This was the mind of the States, before the Prince of Orange came into England to speak with the King—The States thought of it before ever that time was, and they excuse it from Casualties. And so Williamson talked on, much at the rate of his former Speeches on the like occasion, to triste away time, that the House might be wearied out, and grow thin.

Sir Thomas Littleton.] All Williamson's discourse was seasonable, when the Treaties were discoursed of, and the same thing he said then that he has said now again. Your Vote is the soundation of what you have done. Would he have that recalled? He has told you, "This was the best Treaty that could be had, and no better." But how does any body know that was the act of the Prince of Orange here, to treat without the States knowledge? And their mind not known, Lord Feversham was sent into France, &c. How could the Dutch mind

be known, when it was never asked?

Sir William Coventry. I am called up by Williamson. He faid, "The Dutch were released of the Pyrenean Treaty, and went into that of Aix la Chapelle." I would to God we had done fo too, that we had gone into that Treaty; but fince I am up, I will fpeak to this Paragraph: I think the greatest part of it is for justifying ourselves; for, four years together, there is not a Cobler in the streets, but could have told what would fave England. Have the Parliament not done it? Let them have the shame of it; though I must say, it ought to have been done, though it had not been spoken of here. They are not absolved that should have done it. I will not fay Treaties are fafe-Suppose the King of France will not molest you, or that the Confederates will take up Arms, when laid down-We are justifying ourselves that the Parliament is not in fault. out of our care for the Nation, have put the King in mind of it; we fay, "Our Addresses have not been hearkened hearkened unto." Says Williamson, "They have been hearkened unto." I am far from undertaking to enter the list with him about Treaties. I have not one script, nor print of them—But that would have taken away the scruple, if any thing had been done. But here is not one step made in them, till December last. What has made the Consederates thus worn out, but that you came not up to fortify the Alliance? In Ostober they were tired out with ill success, as well as weary, after they had attempted Charleroy with shame and dishonour\*, the Duke of Lorrain retreated, Fribourg was taken †: Ill success has wearied them—And your Advice was not followed, and nothing was done till December, when all was disheartened.

Sir John Ernly spoke much to the purpose with

Williamson.

Mr Garroway.] Ernly tells you, "That all the World is a match for France," but does not tell you that all the World is a match for France and England. He does not tell you of suffering the forces of 10,000 men of ours to remain in France. After all our Addresses to enter into Alliances, I should be forry to excuse men from doing things so wilfully, and that it was out of policy to keep France in War—Our forces are still there, and there are no Articles for the return of these men. Give the King your Counsel, and if once you remove

\* The Prince of Orange sat down before Charleroy, which, it was prefumed, was neither prepared for a Siege, nor could be time enough relieved. But the French had early intelligence of the design; and the place was not only put in a condition to hold out a long and vigorous Siege, but M. de Louvois, the first mover of the French Councils, with great diligence drew together such bodies of forces, to reinforce the Duke of Luxembourg, that without weakening M. de Crequi, he was able to face the Prince before Charleroy, before the trenches could be opened.

Upon these unexpected and fur-

prizing efforts of the French, his Highness called a Council, to advice whether to march and fight the French Army, or raise the Siege: The last was resolved, and accordingly executed, and therewith ended the Campaign in Flanders. Ralph.

+ The Campaign ended as much

† The Campaign ended as much to the advantage of the French in Germany, as in Flanders; the Marshal de Crequi not only holding the Duke of Lorrain at bay, but obtaining a very confiderable Advantage over him at a place called Rochberg, and after that carrying Fribourg in Brifgaw, before his Highness could come up to its relief. Ditto.

these men from the King, you may go on boldly to it to save the Nation; and put the Question for the

Paragraph.

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Mr Finch.] I differ not from the Vote, in the leaft. circumstance. I profess here, and in a greater Assembly, before God Almighty, that what I shall say is in my sincerity, &c. Did I really believe that this you are about was to accomplish the end you intend, I would not be against it. If the Ministers mend for the time to come, I hope what is done will be forgotten. When you did proceed first in your Address, I believe that Advice was not taken, whilft those Ministers were there. whom you would have removed. All that was returned was, "That the matter and manner of your Address were not acceptable." The arraigning of the King's proceedings was the exception, not the matter or manner you advised. This is an accusation, and a condemnation, of the Ministers, without hearing them, almost, in an arbitrary manner, fubverting Magna Charta, which we do all to support. It is yet of farther ill consequence, in point of Justice. From the Conquest to this Day, there is but one Precedent of this nature, and that was the late Duke of Buckingbam\*: And that Affaffination upon him was, because the House of Commons remonstrated against him. And 'tis the Duty of every man to avoid the like occasion-There are Precedents of removals of persons by Act of Parliament only. May not the King apprehend this an encroachment on his Prerogative? And, perhaps, some of the House of Peers may be concerned in it; and now the Crown is at stake, let us not make the King jealous that we will subvert his Prerogative in the least. The Jealoufies in Holland have made them almost cast themselves into the Arms of the French. Do not farther that jea-It has no good ends. It may have many ill ones. Therefore lay aside the Question.

Mr Vaughan.] I never thought, that, when Counsel was good, it would make persons asraid of Assassination

<sup>\*</sup> Stabbed by Felton.

from the People; and if bad, that we could suffer those persons to be about the King. As to Finch's "legale judicium, by Magna Charta, per pars;" if you cannot do this, I know not what you can do; and you are told, the King has made a League, but has not come up to what you would have—But you have condemned that League. And shall any man here say the contrary? How can that League be pursuant to our Addresses, when the King tells us, "He will have nothing to say to our Addresses?"

Sir William Hickman.] It is faid, "This Judgment might be by Peers, &c." If so, let him name the Advisers; and as to putting these Ministers out of their Freehold, by removing them, it is no more than putting a Justice of Peace out of Commission; and we have seen Justices of the Peace put out lately, for executing Laws against Popery.

Sir Thomas Meres. This Debate is irregular. But I would have any man show me, that our Advice, in the Address, was not a good thing, and then he will say something to the point. They that urged Cotton's Record are irregular—They that contradicted it are as ir-

regular.

On a Division, the Paragraph was agreed to, 170 to 167. On the next Paragraph. "Suggested to your Majesty by some particular persons, &c."

Mr Powle.] "Now that we have so great a Person to deal with, as the French King, he would not go upon this work," is Dering's Argument. But this Address is for nothing but the removal of those who have been corrupted by France. This Address is said to be against Law, and Magna Charta. This is a good Plea, and a good Argument, why great officers should not be turned out but; they consider not turning out inferior Justices. In them, it seems, it is justice, but in those injustice. Whoever speaks against this Paragraph, speaks against your Vote, which, in my mind, is against Order.

Col. Titus.] How often has this been faid, "This is the Act of the King!" Now, it feems, you must give thanks to the Ministers for the good that is done,

and lay the harsh part on the King.

Sir Nicholas Carew.] I do not think it hard that the fame justice should be done to the Ministers, as they have lately done to some of our Members (Mr Saville, Sir William Lowther, and Sir Cyril Wyche) who are turned out of their places for voting with their confciences—That, it seems, is no injustice.

On a Division, the Paragraph was agreed to, 169 to 166.

The last Paragraph—" Rely upon our Counsel, &c." also

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[Ordered, That the Members of the Privy Council, do defire to know the King's Pleasure when this House shall attend him with the Address.]

The Question for adjourning passed in the Negative, 158 to 150.

Sir Richard Graham.] I move that the Vote against the Duke of Lauderdale may be added to the Address.

Col. Birch.] I hear, Lauderdale has a Pension out of the sacred Money, the Customs, granted for the defence of the Sea. By what has been proved against him at our Bar, he has so ill interpreted the Law of Scotland, that I would not have him come to interpret ours. That is, his putting the Soldiers there upon free quarter, and his taking of Bonds from Landlords, that their Tenants should not keep Conventicles.

The Speaker.] If you once vote a thing, no man can come near it, to retract it, or touch it, to revoke it, without leave of the House. The Committee brought

you an Address, and you rejected the form.

Sir Thomas Meres.] We move you, (no Committee,) to form nothing but merely the Vote, "That your Majesty would be pleased, at the desire of the Commons, to remove the Duke of Lauderdale from your Presence and Councils."

The Speaker.] If the House pleases, they may form such an Address, but it was never done without a Com-

mittee.

mittee. By way of Amendment it may be added to the Address, in the House, but never the entire Address.

Sir Thomas Lee.] I think you orderly moved, that when a Committee mistakes the sense of the House, and it may be mended at the Table, you need not recommit it. I think the House may as well direct the Speaker to deliver the Vote to the King, with your own mouth, without making a Speech, as when you present Bills in the Lords House.

Mr Garroway.] I would not have new ways in the thing, but have a Committee draw an Address for to-morrow.

Sir Thomas Lee.] You must either re-commit it, or mend it at the Table. 'Tis a doubtful matter, it seems, and I would willingly see the opinion of the House.

[Refolved, That the matter of the Address concerning the Duke of Lauderdale be added to the Address this day agreed, in these words following: "And we farther humbly beseech your Marjesty, That the Duke of Lauderdale may be removed from your Councils and Presence \*.]

## Saturday, May 11.

Early, when the House was thin, by surprize, Mr Secretary Williamson moved the House, to supply the King with Money, Ships, &c. on a verbal Message from his Majesty, "That the charge was so great, that he must be forced to lay up several of the great Ships, already provided, and to disband many of the Forces newly raised, if he were not speedily supplied."

Mr Mallet.] I desire that the Mace may be sent into Westminster Hall, and the Court of Requests, for your Members to attend.

Mr Boscawen.] I wonder that Money should be moved for before we have an Answer from the King to our Address. I would know of the honourable person that moved it, whether we are like to have Peace, or War; for hitherto we are dealt with like Children. By my

Lord Obrien and Sir Thomas Chichley were this day ordered into the custody of the Serjeant at Arms,

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consent, not a penny of Money till we are plainly dealt with.

Mr Secretary Williamson.] Gentlemen ask, " whether we shall have War, or not?" If the thing must have its iffue by the way and manner we have proposed, we can expect little. The Dutch Ministry were in great trouble at our proceedings yesterday. I pacified them as well as I could, but upon the whole they feared fome things that passed here would have that effect. I say, they defire to go deeper with you, and go higher. I told you formerly how peremptory they were-Van Leuen, is another fort of man, than Van Bennegen. 'Tis fo far from true, that they would be brought over to the French Alliance as the other was, that they would be brought to carry on the War-As for these two Towns. the Prince declared, he knew his Uncle's mind; comparing things together, he could make conjecture—But whether it be Peace, or War, Spain must be paid— And fear not to be outdone in the Supply—That nothing may be in the King's hand—And I would this day be upon it.

Sir Thomas Clarges. I wonder that Gentlemen will move you against a Vote of the House, " for securing Religion, &c. before you go upon any other matter." We now are in a ready way for Money; but Popery, a Bill of half a dozen Sheets, has lain with the Lords twelve months. Till we be rid of those Counsels, that have so misled us, we have nothing to give the King. I wonder at being told, when we raised this Army, "that we were to have a War." And Williamson told you, "that it was a War, and the King of France was taken by the beard." Else 500,000 l. was too much to be given "towards" a War. We had an account of the Conference between the French and Dutch Ambassador. The French said, "He would break off all Treaty till the Prince came home." The plan of all that Treaty betwixt the French and Dutch was made here-And now we must give more Money to support these Ministers, in what they have done amiss. Common fame

fays, that some Gentlemen have been turned out of their places, for their voting, and just upon their voting against the Ministers. (Mr Saville, &c.) A man that comes out of a room where one is killed, with a knife bloody, the Jury will find guilty, when no other man appears to have done the fact.

Mr Goring.] I would know, how that Gentleman knows they are turned out of their places, for giving

their Votes here.

Sir Thomas Clarges.] I said "Common same says so."
Sir Charles Wheeler.] He said, "We are reduced to slavery." I would have those Words written down.

Sir John Hotham.] More than Common fame will make that out. That you are very near flavery is more than Common fame. If these pranks go on, we

shall be " reduced to flavery."

Sir Thomas Meres.] 'Tis faid, "That Members are turned out of their places for giving their Votes here, &c." I know not for what other reason they are turned out. I would have some other cause assigned, if they know it. Just upon such an occasion they are turned out; one may make a probable conjecture, though no demonstration, of it; and as the consequence, if the House be used to it, it will lose its liberty and freedom; and what makes people free but liberty to give their Votes here?

The Speaker.] If it be insisted upon, "That the words spoken gave exception," before you go on in the

Debate, they must be written down.

Sir Thomas Littleton.] I would have the words written down. Clarges gave a Comparison of "a Jury that would find it murder in the perion that came out of a house, with a bloody knife, &c. and no other cause appear." I would have the words written down.

Sir Thomas Lee.] If my worthy Friend, Wheeler, had known what his Soldiers had done in Southwark, he

would not have been so forward in this, &c.

Mr Garroway.] These Gentlemen, that would have the words written down, would not be so forward, if they heard heard of what I shall tell you—What those Soldiers are, and what they have done. Then you will judge whether it is fit to give Money to support them in their carriage. I would, in this unlucky juncture, do any thing for your service. Let Gentlemen get on in the Report, and wave this Motion. If you will go on, let the words the Gentleman spoke be afferted in writing, and do what you please upon them.

### The thing went off.

The Speaker reports the substance of the King's Message by Williamson, viz. "That, by reason of the Expence and Charge his Majesty has been at, for equipping and furnishing his Navy, and raising Soldiers, &c. [he desires] that the House would [immediately] enter into consideration of a Supply for him; for his Majesty must either disband the men, or pay them, &c \*.

Mr Garroway.] Pray let us be plain and see; for, as things are, we can make no Judgment of them. Let us know our Answer from the King to our Address; and do like reasonable men. They have had great time to consider; we have had none. Pray let this Message alone till Monday. We know not why we should disband these forces, or keep them up, for we know nothing of War, or Peace. Whatever we do, will else be by chance; it may be very well, or very ill. I would therefore consider of it.

Mr Powle.] There is one word in the King's Meffage which I take notice of, the word "immediately." To enter into the Debate, I will always show as much respect to the King's Meffage, as any man: But I think that word "immediately" over-rules the Debate, and intrenches upon the Privileges of this House. I am forry those about the King will impose these things upon his Majesty. It will be time to take up this Debate, when our Grievances are redressed, and our Ad-

<sup>\*</sup> In the Journal, the words are the same with those in the Secretary's first Speech. The former part of the Message was, "That his Majesty had appointed 4 o'clock in the afternoon for their attending him with the Address."

dress answered. And then, giving Money ought to be the last thing considered. Why was the Army so hastily raised? Which was no good sign of good Intention to the Public. Let those about the King set things right and strait. Till then, 'tis too raw and fresh to go upon Money. And I would let fall the

Debate now, and go upon other business.

Sir John Ernly.] You must disband these men that are raised, or pay them. If it be a War, these men are ready for you, and I am glad we are in so much readiness towards it. I am no more for a standing Army than any Gentlemen here—But I would give the King some resolution of his Message. If we consider it not now, that we would do it some other time. You cannot leave it thus, without great dissatsiaction to the Nation.

Col. Birch. This was a work of darkness, from the beginning. We gave Money for what we see now not a word of it true: A bargain performed on the one fide, and not on the other. We were told, "that we must trust the King with the Treaties, because the thing could not be well discovered to us." No doubt but the King knows the bottom of all this, and if he difband the men, and discharge the Ships, he knows why he does it But still we have no Answer to making of Leagues that we advised. If the King enter into this League, we shall see all the Quotas of the Confederates—But will any man give Money till he knows for what? But I find it is still designed for a Peace with the French King, and whenever you leave that King with 100 fail of Ships, and 100,000 men, you are in a worse condition than any War can make you. Upon the whole, this is like a Question, that a man cannot tell whether to give his Affirmative or Negative to. Therefore, I would not adjourn it, but let it fall.

Mr Sacheverell.] I wish I could see a bottom to go upon—That which I insist upon is, not to give Money in time of War, to wheedle us into a Peace; and next, I will not give Money upon false suggestions. I

would

would not put any marks upon this Message, but let that fall. If we see they will go into a War, I will be as ready as any man to give Money; but seeing all this is for a Peace, Clarges's words might be admitted.

Sir Edmund Jennings.] The King cannot give an Anfwer to your Address, till he has an Answer to the Mesfage he sent us to-day. Common same says, we talk of War—Yet we can go little towards it without Supply. Can an Army be raised one day, and sent over into Flanders another? Unless the King be supplied, he

cannot proceed.

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Sir William Coventry.] I differ in opinion from those Gentlemen that thought it too hasty to raise the Army; for else it would have been undisciplined; and I am for Money to maintain the War. But why should we proceed now we have no light to go by? Will any man be fatisfied to give Money for War, when we fee nothing but a face of Peace? 100,000 l. would disband this Army. And if we should give a small sum of Money, the Confederates will leave you. If you flay till all Flanders be gone, you will do as King James did in the Palatinate War, treat, and treat, till all was gone, and no body to treat with him. If people urge us upon Money now, it must be answered in the Negative; which I would not give the King. If the War really be, he must be a madman who will not give Money; and if it be a Peace, no Englishman will be for keeping up the Army. Till we have more light, we know not what to fay, and I would decline a Negative upon the King which all our fouls abhor.

Col. Titus.] There is a Vote already against this Question. And, in short, by this Question, either we give our Money we know not why, or else we put a Negative upon the King; neither of which I would do; and therefore I would not have the Question put.

Mr Pepys.] When I promifed that the Ships should be ready, by the 30th of May, it was upon the supposition of Money for the 90 Ships proposed by the King, and voted by you, their sizes, and rates; and I

doubt not by that time to have 90 Ships; and if they fall short, it will be only from the failing of the Streights Ships coming home, and those but two. I would have Clarges's harsh words explained, viz. "cheated of another sum of Money." There has not been one penny of it spent, but towards a War with the French King. If there has been "a cheat," 'tis on the King's side, who has debarred himself of all of it. Peace itself is War with France. Peaceful Counsels and warlike Preparations cannot subsist. Supplies are not in your hands, to have them when you please. This is the time of the year to send to the Baltic for stores, and this is the time for that Supply.

Sir Robert Howard.] Pepys here speaks rather like an Admiral than a Secretary, "I" and "we." I wish he knows half so much of the Navy as he pretends. Now the King of France is greater at Sea than we, with all the Preparations that are pretended. I hear the name of the King so often used, that I am forry for it. We that are against their opinion, are as much for the

King's fervice as they.

Mr Boscawen.] I know not the ground of asking Money, now we are halting between two opinions; Peace and War. If we were in a Grand Committee, to consider of giving Money upon Proposals, the Debate would be more proper. But I would adjourn the House, that the honourable person who brought the Message for Money, &c. may be free to tell you whe-

ther we are to be in Peace, or War.

Sir Thomas Lee.] I think it well moved to adjourn the House now, because the House is put upon difficulties that the House was never upon before. You have had an Answer of "furprizing," only, and no more. I would have you severely punish those who misrepresent you to the King; 'tis absolutely necessary. When things come clearly before you, it will be hard to be excused, that an Army should be raised, and no War. I wonder Gentlemen will say, "you expect management of the War, &c." If, as some have put it, the Nation

Nation is at as much charge in Peace as War, I am therefore for War. If you become not fatal to them that endeavoured to ruin you, they may be fatal to un-

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Sir Henry Capel.] If the Question pass in the Negative, then 'twill be a disrespect to the King, and, in effect, a Negative to Money; and the French King will make his advantage of it. If this be carried in the Affirmative, by two or three Voices, the consequence will be Money coming heavily on. If we dishand the Army, there must be Money. I hope the King will take care of a good Peace, and if we have War, we shall stand by him in either.

Mr Garroway.] Perhaps they will disband a few men troublesome to them, and leave the rest to be troublesome to us. And that I fear of the Peace. In 9 Henry IV, you will find it in the Record, 'tis against your Privileges, and you will have it made out, "That none of your Debates are to be disclosed."—If the King be told the thing—It may be lest indefinite,

and I would adjourn.

Mr Vaughan.] If all the delusions of the last Session were forgotten, then this might have been moved; but now we have the same stories repeated, and more would rejoice against giving Money than for it; because they would heighten still the King's displeasure against you. These Proceedings are a brand upon the

Ministers, and I would have them pay for it.

Col. Birch.] This Message must plainly be a late result. Whoever put the House upon this Question, could not expect a smooth Answer; they could not but expect a Negative on this of Money. Some of the King's Council are good, and I am apt to believe some are bad; and you have said so. There are twins in the womb. If you adjourn till Monday, there is the same snare still, if we have no more light, neither Peace nor War,

The previous Question for adjourning the Debate passed in the Negative, 178 to 177.

#### In the Afternoon.

The House attended the King with the Address, to which his Majesty was pleased immediately to return this Answer:

"This Address is so extravagant, that I am not willing speedily to give it the Answer it deserves \*."

# Monday, May 13.

His Majesty prorogued the Parliament till May 23, which the Lord Chancellor declared in very few words.

Before the Commons were fent for up to the Lords House, by the Black Rod, the King spoke thus to the Lords:

### « My Lords,

of Commons, as I cannot but refent very highly, from the ill consequences I have lived to see from such Addresses. I intend therefore to prorogue them for some short time, in hopes they will consider better what they ought to do at their return. I have chosen to tell this to you first, because I would have you know I am very well satisfied with the dutiful behaviour of this House, and you will by that time be more enabled to give me your Advice."

This Answer is not entered in this Session, and is also confirmed the Journals of the House, but is by Sir John Reresby, in his Mepreserved in Sir Thomas Webster's moirs, p. 62.

Collection of certain Extracts of

END of VOL. V.